

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES U.S., INC., GLOBALFOUNDRIES DRESDEN
MODULE ONE LLC & CO. KG, and GLOBALFOUNDRIES DRESDEN
MODULE TWO LLC & CO. KG.

Petitioner

v.

ZOND, INC.
Patent Owner

Case IPR2014-01042¹

U.S. PATENT NO. 7,808,184

Title: METHODS AND APPARATUS FOR GENERATING STRONGLY-
IONIZED PLASMAS WITH IONIZATIONAL INSTABILITIES

Before KEVIN F. TURNER, DEBRA K. STEPHENS, JONI Y. CHANG,
SUSAN L.C. MITCHELL, and JENNIFER M. MEYER,
Administrative Patent Judges

PETITIONER'S MOTION FOR *PRO HAC VICE*
ADMISSION PURSUANT TO 37 C.F.R. § 42.10(C)

¹ The instant proceeding has been joined with IPR2014-00799.

I. Relief Requested

This Motion for *Pro Hac Vice* admission is filed solely on behalf of Petitioner GLOBALFOUNDRIES U.S., Inc., GLOBALFOUNDRIES Dresden Module One LLC & Co. KG, and GLOBALFOUNDRIES Dresden Module Two LLC & Co. KG (collectively, “GlobalFoundries” or “Petitioner”). GlobalFoundries respectfully requests that the Board recognize Mr. Brett C. Rismiller as counsel *pro hac vice* during this proceeding.

II. Time for Filing

This Motion for *Pro Hac Vice* Admission is being filed no sooner than twenty one (21) days after service of the petition. IPR2014-00799, Paper No. 11.

III. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceedings

Petitioner has been authorized to file motions seeking admission *pro hac vice* under 37 C.F.R. 42.10(c). (Paper No. 3). Petitioner's lead and back-up counsel are registered practitioners:

Lead Counsel: David M. Tennant, USPTO Reg. No. 48,362; and

Backup Counsel: Dohm Chankong, USPTO Reg. No. 70,524

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions

that the Board may impose. The facts here establish good cause for the Board to recognize Brett C. Rismiller *pro hac vice* on behalf of Petitioner during this proceeding.

In summary, Mr. Rismiller is an experienced litigator, has established familiarity with the subject matter at issue in this proceeding from his participation in co-pending litigation involving the subject patent, and, if admitted, will be involved in the depositions that occur in this proceeding. Specifically, U.S. Patent No. 7,808,184 is currently asserted against Petitioner in co-pending litigation, in the District of Massachusetts, 1:13-cv-11577-LTS (*Zond v. AMD, et al.*) (“the co-pending litigation”). Mr. Rismiller is a member of the California bar in good standing and works closely with the team representing the Petitioner in the co-pending litigation.

Mr. Rismiller has analyzed prior art references and claim charts in connection with invalidity contentions and has been involved in forming claim construction positions related to the claimed inventions, all of which are relevant to the petition requesting *inter partes* review of U.S. Patent No. 7,808,184. Petitioner wishes to apply Mr. Rismiller's knowledge of the patent by employing him as counsel in this proceeding. Admission of Mr. Rismiller *pro hac vice* will enable Petitioner to avoid unnecessary expense and duplication of work between this proceeding and the co-pending litigation.

Petitioner's lead and backup counsel are registered practitioners and Mr. Rismiller is an experienced litigation attorney having familiarity with the subject matter at issue in this proceeding. Therefore, Petitioners respectfully submit that there is good cause for the Board to recognize Mr. Rismiller as counsel *pro hac vice* during this proceeding.

IV. Affidavit of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is supported by an Affidavit of Mr. Rismiller (Ex. 1025).

Respectfully submitted,

Date: November 26, 2014

/s/ David M. Tennant
David M. Tennant
Lead Counsel for Petitioner
GlobalFoundries
Registration No. 48,362

Petitioner's Updated Exhibit List
November 26, 2014

Exhibit	Description
1001	U.S. Patent No. 7,808,184 ("the '184 Patent")
1002	Declaration of Dr. Richard DeVito ("DeVito Decl.")
1003	D.V. Mozgrin, <i>et al</i> , <u>High-Current Low-Pressure Quasi-Stationary Discharge in a Magnetic Field: Experimental Research</u> , Plasma Physics Reports, Vol. 21, No. 5, pp. 400-409, 1995 ("Mozgrin")
1004	A. A. Kudryavtsev and V.N. Skerbov, <u>Ionization relaxation in a plasma produced by a pulsed inert-gas discharge</u> , Sov. Phys. Tech. Phys. 28(1), pp. 30-35, January 1983 ("Kudryavtsev")
1005	U.S. Pat. No. 6,413,382 ("Wang")
1006	Certified Translation of D.V. Mozgrin, <u>High-Current Low-Pressure Quasi-Stationary Discharge in a Magnetic Field: Experimental Research</u> , Thesis at Moscow Engineering Physics Institute, 1994 ("Mozgrin Thesis")
1007	Mozgrin Thesis (Original Russian)
1008	Catalogue Entry at the Russian State Library for of the Mozgrin Thesis
1009	File History for U.S. Pat. No. 7,808,184, Office Action of December 8, 2009 ("12/08/09 Office Action")
1010	File History for U.S. Pat. No. 7,808,184, Response dated June 3, 2010 ("06/03/10 Response")
1011	File History for U.S. Pat. No. 7,808,184, Notice of Allowance, ("06/28/10 Notice of Allowance")
1012	Plasma Etching: An Introduction, by Manos and Flamm, pp.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.