

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES U.S., INC., GLOBALFOUNDRIES DRESDEN
MODULE ONE LLC & CO. KG, GLOBALFOUNDRIES DRESDEN MODULE
TWO LLC & CO. KG, and THE GILLETTE COMPANY,
Petitioners,

v.

ZOND, LLC,
Patent Owner.

Case IPR2014-01098¹
Patent 6,853,142 B2

Before KEVIN F. TURNER, Administrative Patent Judge.

DECISION²

Motions for *Pro Hac Vice* Admission of Mr. Brett C. Rismiller
37 C.F.R. § 42.10

¹ Case IPR2014-01016 has been joined with the instant proceeding.

² This Decision addresses the same issues in the *inter partes* reviews listed in the Appendix. Therefore, we issue one Decision to be filed in all of the cases. The parties, however, are not authorized to use this style of filing in subsequent papers.

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GLOBALFOUNDRIES U.S., Inc., GLOBALFOUNDRIES Dresden Module One LLC & Co. KG, and GLOBALFOUNDRIES Dresden Module Two LLC & Co. KG (hereafter “GlobalFoundaries”) filed Motions for *Pro Hac Vice* Admission of Brett C. Rismiller in each of the proceedings identified in the Appendix. Paper 13 (“Mot.”).³ GlobalFoundaries indicates, in a separate email, that these Motions were being filed without opposition. For the reasons provided below, GlobalFoundaries’ Motions are *granted*.⁴

Pursuant to 37 C.F.R. § 42.10(c), we 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. The Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear in the proceedings identified in the Appendix.

In the proceedings at issue, lead counsel for GlobalFoundaries, David M. Tennant, is a registered practitioner. Mot. 1. GlobalFoundaries’ Motions indicate that there is good cause for us to recognize Mr. Brett C. Rismiller *pro hac vice* during these proceedings, and is supported by a Declaration of

³ For the purpose of clarity and expediency, we treat IPR2014-01098 as representative, and all citations are to IPR2014-01098 unless otherwise noted.

⁴ We note that GlobalFoundaries filed Motions for *Pro Hac Vice* Admission of Brett C. Rismiller in the following cases: IPR2014-01042, IPR2014-01047, IPR2014-01059, and IPR2014-01061. However, those cases were terminated (Papers 12, 14, 12, and 12, respectively), such that no papers should be filed in those cases. Papers should be filed, instead, in the cases into which those proceedings were joined, respectively.

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the same (Ex. 1421). Mot. 3.

Mr. Rismiller declares that he is an experienced patent litigation attorney and has been practicing law, with a focus on patent litigation and other intellectual property matters. Ex. 1421 ¶ 8. Mr. Rismiller also declares that he has established familiarity with the subject matter at issue in the proceedings identified in the Appendix, as he has been representing GlobalFoundaries in the related district court litigation that involves the same patents being challenged in the proceedings before us. *Id.* ¶ 9. Additionally, Mr. Rismiller's Declaration complies with the requirements set forth in the Board's Order authorizing motions for *pro hac vice* admission. *Id.* ¶¶ 1–9.

On this record, we determine that Mr. Rismiller has sufficient legal and technical qualifications to represent GlobalFoundaries in the proceedings identified in the Appendix. We further recognize that there is a need for GlobalFoundaries to have its counsel in the co-pending litigation involved in the proceedings before us. Accordingly, GlobalFoundaries has established that there is good cause for Mr. Rismiller's admission.

For the foregoing reasons, it is

ORDERED that GlobalFoundaries' motions for *pro hac vice* admission of Mr. Rismiller for the instant proceeding are *granted*; he is authorized to represent GlobalFoundaries as back-up counsel in the proceedings identified in the Appendix;

FURTHER ORDERED that GlobalFoundaries is to continue to have a registered practitioner as lead counsel in the instant proceedings; and

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FURTHER ORDERED that Mr. Rismiller is to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the C.F.R., and he is to be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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APPENDIX

U.S. Patent Numbers	<i>Inter Partes</i> Reviews	Paper No. for Motion
6,805,779 B2	IPR2014-01073	15
	IPR2014-01076	15
6,806,652 B2	IPR2014-01089	11
	IPR2014-01088	14
6,853,142 B2	IPR2014-01098	13
7,147,759 B2	IPR2014-01086	17
	IPR2014-01087	15
	IPR2014-01083	15
7,604,716 B2	IPR2014-01099	17
	IPR2014-01100	17

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