

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LAM RESEARCH CORP.,
Petitioner,

v.

DANIEL L. FLAMM,
Patent Owner.

Case IPR2015-01764
Patent No. RE 40,264 E

**LAM RESEARCH CORPORATION'S REVISED UNOPPOSED MOTION
FOR ADMISSION *PRO HAC VICE* OF TALIN GORDNIA
UNDER 37 C.F.R. § 42.10**

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Alexandria, VA 22313-1450

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) and the Board's "Notice of Filing Date Accorded to the Petition and Time for Filing Patent Owner's Preliminary Response" entered August 27, 2015, Paper 3, granting authorization to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Petitioner Lam Research Corporation requests that the Board admit Talin Gordnia *pro hac vice* in this proceeding.

Petitioner submitted a motion for *pro hac vice* admission of Talin Gordnia (Paper 11) on May 9, 2016, but inadvertently submitted the motion as the declaration in support of the motion (Ex. 1014). The Board has authorized the Petitioner to resubmit the correct declaration in its Order (Paper 13) issued on May 17, 2016. Petitioner is herein filing this revised motion, accompanied by the required declaration.

II. STATEMENT OF FACTS

Pursuant to 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 as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel

who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

37 C.F.R. § 42.10(c). The facts, supported by the Declaration of Talin Gordnia in Support of Motion for Admission *Pro Hac Vice* (“Gordnia Decl.”, Ex. 1014), establish good cause to admit Talin Gordnia *pro hac vice* in this proceeding.

1. Lead counsel Michael R. Fleming is a registered practitioner and is experienced in *inter partes* proceedings before the USPTO.
2. Backup counsel Samuel Lu is a registered practitioner and experienced in *inter partes* proceedings before the USPTO.
3. Talin Gordnia is an experienced litigating attorney. Ms. Gordnia has extensive experience in patent law and has been litigating patent cases for over five (5) years. Gordnia Decl. ¶ 9. Ms. Gordnia is a member in good standing of the California State Bar, with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations. Ms. Gordnia is also admitted to practice before the United States District Courts for the Central District of California and Northern District of California.

4. Ms. Gordnia has familiarity with the subject matter at issue in this proceeding.

5. Ms. Gordnia has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in Title 42 of the C.F.R., and she agrees to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

III. ANALYSIS

The facts contained in the Statement of Facts above, and contained in the Gordnia Declaration, establish that there is good cause to admit Talin Gordnia *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Lead and backup counsel are registered practitioners, Ms. Gordnia is an experienced litigating attorney, and Ms. Gordnia has an established familiarity with the subject matter at issue in the proceeding.

IV. NO OPPOSITION TO THIS MOTION

Petitioner has confirmed with Patent Owner that they do not oppose the present motion.

V. CONCLUSION

For the foregoing reasons, Lam Research Corporation respectfully requests that the Board admit Talin Gordnia *pro hac vice* in this proceeding.

Case IPR2015-01764
Patent No. RE 40,264 E

Dated: May 17, 2016

Respectfully submitted,

By: /s/Michael R. Fleming/
Michael R. Fleming

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