

By: Christopher Frerking ([chris@ntknet.com](mailto:chris@ntknet.com))  
Reg. No. 42,557

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LAM RESEARCH CORP.,

Petitioner,

v.

DANIEL L. FLAMM,

Patent Owner.

CASE IPR2015-01768  
U.S. Patent No. RE40,264 E

**PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE***  
**ADMISSION OF ROBERT M. SPALDING**

Mail Stop: PATENT BOARD  
Patent Trial and Appeal Board  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**I. Relief Requested**

Pursuant to 37 C.F.R. § 42.10 and with the Board’s authorization (Paper 3, dated August 25, 2015), Patent Owner Daniel L. Flamm (Flamm), by its attorney, respectfully requests admission of Robert M. Spalding *pro hac vice* in this proceeding.

**II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *pro hac vice* during the Proceeding**

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding, subject to the conditions set forth therein, and any others that the Board may impose. Petitioners set forth these facts in support of this motion:

1. Lead counsel for Petitioners in this proceeding, Christopher Frerking, is a registered practitioner (Registration No. 42557).
2. Mr. Spalding is an experienced litigator and has established familiarity with the subject matter of this proceeding. Accompanying this motion as Ex. 2007, the Declaration of Robert M. Spalding in Support of this Motion for Admission Pro Hac Vice (“Spalding Dec.” Ex. 2007 ¶ 1.)
3. Mr. Spalding is a member in good standing of the Bar of Illinois. (Id. ¶ 2.)
4. Mr. Spalding has had no suspensions or disbarments from practice before any court or administrative body. (Id. ¶ 3.) In addition, no application for admission to practice before any court or administrative body ever denied and

no sanctions or contempt citations have been imposed on Mr. Spalding by any court or administrative body. (Id.)

5. Mr. Spalding has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R. (Id. ¶ 4.)
6. Mr. Spalding agrees to be subject to the United States Patent and Trademark Office Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.*, and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (Id. ¶ 5.)
7. Mr. Spalding has familiarity with the subject matter at issue in the proceeding. (Id. ¶ 7.) He has reviewed the patent-at-issue as well as the prior art in the instant proceeding. (Id. ¶ 8.)

### **III. No Opposition to this Motion**

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

### III. Conclusion

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Mr. Spalding *pro hac vice* in this proceeding.

Respectfully Submitted:

Date: July 18, 2016

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CERTIFICATE OF SERVICE: Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on July 18, 2016, a complete and entire copy of the forgoing, was provided by email to Petitioner's counsel, Michael Fleming, Samuel K. Lu and Kamran Vakili, IRELL & MANELLA LLP, 1800 Avenue of the Stars, Suite 900, Los Angeles, California 90067, *via email*, pursuant to 37 C.F.R. § 42.105, by serving the email addresses of record as follows: [m Fleming@irell.com](mailto:m Fleming@irell.com); [slu@irell.com](mailto:slu@irell.com); [kvakili@irell.com](mailto:kvakili@irell.com).

By: /s/ Beata Ichou  
Beata Ichou