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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION
Petitioner

v.

DSS Technology Management, Inc.
Patent Owner

Case IPR2016-00287

**PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF
MICHAEL J. SUMMERSGILL**

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. § 42.10(c) and Paper No. 4 authorizing the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Petitioner requests that the Patent Trial and Appeal Board (the "Board") admit Michael J. Summersgill *pro hac vice* in this proceeding, IPR2016-00287.

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 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. Section 42.10(c) indicates that "where 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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding." The facts here establish good cause for the Board to recognize Michael J. Summersgill *pro hac vice* in this proceeding.

1. Lead counsel, Grant Rowan, is a registered practitioner. Backup counsel, Yung-Hoon Ha, is also a registered practitioner.
2. Counsel, Michael J. Summersgill, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding.

Petitioner's Motion for Admission *Pro Hac Vice* of Michael J. Summersgill

Accompanying this motion as Exhibit 1026 is the March 22, 2016 Declaration of Michael J. Summersgill in Support of this Motion for Admission *Pro Hac Vice* ("Summersgill Decl."). In his declaration, Mr. Summersgill asserts:

I am a member in good standing of the Bar of the Commonwealth of Massachusetts, and am admitted to practice before the Massachusetts Supreme Judicial Court, the United States Courts of Appeal for the First, Second, Ninth, and Federal Circuits, and the United States District Court for the District of Massachusetts.

Summersgill Decl. ¶ 3 (Ex. 1026). Mr. Summersgill also asserts:

I am familiar with the subject matter at issue in this proceeding. I participated in the drafting of the Petition filed in this proceeding, and I have reviewed the papers filed in this proceeding. I have represented Intel Corporation in multiple patent-related matters, including the following United States District Court cases: *DSS Tech. Mgmt., Inc. v. Intel Corp. et al.*, 6:15-CV-130-JRG (E.D. Tex.), which is related to and involves the same patent at issue in this proceeding; *Memory Integrity, LLC v. Intel Corp.*, No. 3:15-cv-00262-SI (D. Or.); *X2Y Attenuators, LLC v. Intel Corp. et al.*, 1:11-cv-00117-CB (W.D. Penn.); and *X2Y Attenuators, LLC v. Intel Corp. et al.*, 1:11-cv-00218-CB (W.D. Penn.); and the following United States International Trade Commission case: *Certain Microprocessors, Components Thereof, and Products Containing Same*, Inv. No. 337-TA-781 (USITC).

Summersgill Decl. ¶¶ 11-12 (Ex. 1026).

Petitioner's Motion for Admission *Pro Hac Vice* of Michael J. Summersgill

3. In his declaration, Mr. Summersgill also attests to each of the listed items required by the "Order – Authorizing Motion for *Pro Hac Vice* Admission" in Case IPR2013-00639, Paper 7. See Summersgill Decl. ¶¶1-12 (Ex. 1026).

III. Conclusion

For the foregoing reasons, Petitioners respectfully request that the Board admit Michael J. Summersgill *pro hac vice* in this proceeding.

Respectfully Submitted,

/Grant K. Rowan/

Grant K. Rowan, Reg. No. 41,278
Yung-Hoon Ha, Reg. No. 56,368
Wilmer Cutler Pickering Hale & Dorr
LLP

Dated: March 25, 2016

List of Exhibits for U.S. Patent No. 6,784,552 Petition for *Inter Partes* Review

Exhibit	Description
1001	U.S. Patent No. 6,784,552
1002	Declaration of John A. Bravman, Ph.D.
1003	U.S. Patent No. 4,686,000 (“Heath”)
1004	European Patent Publ. No. 592078 (“Hawley”)
1005	U.S. Patent No. 5,541,427 (“Chappell”)
1006	U.S. Patent No. 5,338,700 (“Dennison”)
1007	U.S. Patent No. 6,066,555
1008	DSS’s Infringement Contentions, July 30, 2015, Ex. B
1009	U.S. Patent No. 5,374,836 (“Vinal”)
1010	J. Dulak et al., <i>Etch mechanism in the reactive ion etching of silicon nitride</i> , Journal of Vacuum Science & Technology A 9, 775 (1991) (“Dulak”)
1011	’555 Decl. Under Rule 131, Feb. 25, 1999
1012	U.S. Patent No. 5,053,351
1013	Application, Mar. 31, 2000
1014	Prelim. Amendment, Mar. 31, 2000
1015	Office Action, June 1, 2001
1016	Amendment, Oct. 1, 2001
1017	Office Action, Jan. 9, 2002
1018	Amendment, May. 20, 2002

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