

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., HTC CORPORATION, AND HTC AMERICA INC.,
Petitioner,

v.

PARTHENON UNIFIED MEMORY ARCHITECTURE LLC,
Patent Owner

Case IPR2016-00923
Patent No. 5,812,789

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

Apple Inc. respectfully moves that the Board recognize Mr. Yakov Zolotorev as counsel *pro hac vice* during this proceeding. Patent Owner does not oppose this Motion.

1. 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. *See* Notice of Filing Date, IPR2016-00923, paper no. 4, at 1.

2. Statement of Facts Showing Good Cause for Counsel *Pro Hac Vice*

Petitioner has been authorized to file motions seeking admission *pro hac vice* under 37 C.F.R. 42.10(c). *Id.* at 2. Petitioner's lead and back-up counsel are registered practitioners:

Lead Counsel: Andrew S. Ehmke, USPTO Reg. No. 50,271;

Backup Counsel: David W. O'Brien, USPTO Reg. No. 40,107;

Michael S. Parsons, USPTO Reg. No. 58,767; and

David L. Alberti, USPTO Reg. No. 43,465.

The following statement of facts shows that there is good cause for the Board to recognize Mr. Zolotorev *pro hac vice* on behalf of Petitioner.

Mr. Zolotorev is an experienced litigator that has established familiarity with the subject matter at issue in this proceeding from his representation of the Petitioner in *Parthenon Unified Memory Architecture LLC v. Apple Inc.*, Case No.

2:15-cv-00621-JRG (E.D. Tex. filed May 1, 2015) (“the co-pending litigation”), where U.S. Patent No. 5,812,789 (“the ’789 patent”) is being asserted against the Petitioner. The co-pending litigation involves the same subject patent, and if admitted, Mr. Zolotorev will be involved in the depositions that occur in this proceeding.

Mr. Zolotorev 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 this *inter partes* review proceeding. Petitioner wishes to apply Mr. Zolotorev’s knowledge of the ’789 patent by employing him as counsel in this proceeding. Admission of Mr. Zolotorev *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. Zolotorev is an experienced litigation attorney having familiarity with the subject matter at issue in this proceeding. Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Zolotorev as counsel *pro hac vice* during this proceeding.

3. Declarations of Individuals Seeking to Appear

This Motion for *Pro Hac Vice* Admission is supported by the Declarations of Mr. Zolotorev (Ex. 1042).

Respectfully submitted,

Dated: January 20, 2017

/Andrew S. Ehmke/
Andrew S. Ehmke
Registration No. 50,271

PETITIONER'S UPDATED EXHIBIT LIST

January 20, 2017

Exhibit	Description
Ex. 1001	U.S. Patent No. 5,812,789 (“the ’789 patent”)
Ex. 1002	File History for U.S. Patent No. 5,812,789
Ex. 1003	Reserved
Ex. 1004	ISO/IEC 11172-2: 1993: Information technology—Coding of moving pictures and associated audio for digital storage media at up to about 1,5 Mbit/s—Part 2: Video, (1 st ed. August 1, 1993) (“ <i>MPEG Standard</i> ”)
Ex. 1005	S. Rathnam <i>et al.</i> , “An Architectural Overview of the Programmable Multimedia Processor, TM-1,” IEEE Proceedings of COMPCON ’96, pp. 319-326 (1996) (“ <i>Rathnam</i> ”)
Ex. 1006	R.J. Gove, “The MVP: A Highly-Integrated Video Compression Chip,” Proceedings of the IEEE Data Compression Conference (DCC ’94), pp. 215-224 (March 29-31, 1994)
Ex. 1007	U.S. Patent No. 5,774,676 (“ <i>Stearns</i> ”)
Ex. 1008	Reserved
Ex. 1009	Reserved
Ex. 1010	WorldCat Entry for <i>Rathnam</i>
Ex. 1011	Patent Owner Claim Construction Brief in Case No. 2: 14-cv-690, April 7, 2015
Ex. 1012	Patent Owner Claim Construction Brief in Case No. 2: 14-cv-902, June 18, 2015
Ex. 1013	Reserved
Ex. 1014	Brad Hansen, <i>The Dictionary of Multimedia</i> , 1997
Ex. 1015	U.S. Patent No. 8,681,164
Ex. 1016	Excerpt of File History for U.S. Patent No. 8,681,164
Ex. 1017	Reserved
Ex. 1018	Reserved
Ex. 1019	Shanley, et al., “PCI System Architecture,” Addison-Wesley Publishing Company, 1995 (3rd ed.) (“ <i>Shanley</i> ”)

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