

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

PARTHENON UNIFIED MEMORY ARCHITECTURE LLC,
Patent Owner.

Cases

IPR2016-01114 (Patent 7,777,753)
IPR2016-01118 (Patent 7,321,368)
IPR2016-01121 (Patent 5,960,464)
IPR2016-01134 (Patent 7,542,045)
IPR2016-01135 (Patent 5,812,789)¹

Before MICHAEL R. ZECHER, JAMES B. ARPIN,
SUSAN L. C. MITCHELL, and MATTHEW R. CLEMENTS,
Administrative Patent Judges.

CLEMENTS, *Administrative Patent Judge.*

DECISION

Granting Patent Owner's Unopposed Motions for *Pro Hac Vice*
Admission of Mr. Justin Chen
37 C.F.R. § 42.10(c)

¹ This Decision addresses an issue that is identical in all five cases. We, therefore, exercise our discretion to issue one Decision to be filed in each case. The parties, however, are not authorized to use this style heading in any subsequent papers.

IPR2016-01114 (Patent 7,777,753); IPR2016-01118 (Patent 7,321,368)
IPR2016-01121 (Patent 5,960,464); IPR2016-01134 (Patent 7,542,045)
IPR2016-01135 (Patent 5,812,789)

I. INTRODUCTION

Parthenon Unified Memory Architecture LLC (“Patent Owner”) filed a Motion for Admission *Pro Hac Vice* of Mr. Justin Chen in each of the proceedings identified above. Paper 23 (“Mot.”).² Petitioner, Apple Inc., does not oppose these Motions. Mot. 2. For the reasons provided below, Patent Owner’s Motions are *granted*.

II. DISCUSSION

In accordance with 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 representative 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. *See* Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

In these proceedings, lead counsel for Patent Owner, Mr. Masood Anjom, is a registered practitioner. Mot. 3. Patent Owner asserts that there is good cause for us to recognize Mr. Chen *pro hac vice* in these proceedings. *Id.* at 2–3. Patent Owner’s assertions in this regard are supported by a Declaration of Mr. Chen. Ex. 2008.

² For purposes of expediency, we refer to the papers filed in Case IPR2016-01114. Similar papers were filed in Cases IPR2016-01116, IPR2016-01121, IPR2016-01134, and IPR2016-01135.

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Mr. Chen declares that he is a member in good standing of the State Bar of Texas, and that he is admitted to practice before at least two district courts. Ex. 2008 ¶ 2. Mr. Chen also declares that he is familiar with the subject matter at issue in these proceedings, particularly because he represents Patent Owner in the related district court case. *Id.* ¶ 9. Moreover, the facts alleged in Mr. Chen's Declaration comply with the requirements set forth in our representative Order authorizing motions for *pro hac vice* admission. See Ex. 2008 ¶¶ 1–9; Mot. 3–5.

On this record, we determine that Mr. Chen has sufficient legal and technical qualifications to represent Patent Owner in these proceedings. Accordingly, Patent Owner has established that there is good cause for the *pro hac vice* admission of Mr. Chen in these proceedings.

III. ORDER

Accordingly, it is

ORDERED that Patent Owner's Motions for Admission *Pro Hac Vice* of Mr. Justin Chen are GRANTED;

FURTHER ORDERED that Mr. Chen is authorized to represent Patent Owner as back-up counsel in these proceedings only;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Chen shall comply with the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

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FURTHER ORDERED that Mr. Chen shall be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), as well as the Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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