

Paper No. \_\_\_\_\_

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

PARTHENON UNIFIED MEMORY ARCHITECTURE LLC,  
Patent Owner

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Case IPR2016-01135  
Patent No. 5,812,789

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**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, IPR2016-01135, paper no. 3, 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;

Adam C. Fowles, USPTO Reg. No. 65,005; 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. 1021).

Respectfully submitted,

Dated: February 15, 2017

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

**PETITIONER'S UPDATED EXHIBIT LIST**

**February 15, 2017**

Ex. 1001	U.S. Patent No. 5,812,789
Ex. 1002	Prosecution History of U.S. Patent No. 5,812,789
Ex. 1003	Declaration of Robert Colwell, Ph.D., Under 37 C.F.R. § 1.68
Ex. 1004	Curriculum Vitae of Robert Colwell, Ph.D.
Ex. 1005	U.S. Patent No. 5,546,547 to Bowes <i>et al.</i> ("Bowes")
Ex. 1006	Texas Instruments, Inc., Houston, TX, "TMS320C8x System Level Synopsis," (September 1995) (Literature Ref. SPRU113) ("TMS")
Ex. 1007	U.S. Patent No. 5,001,625 to Thomas <i>et al.</i> ("Thomas")
Ex. 1008	R. Gove, "The MVP: A Highly-Integrated Video Compression Chip", IEEE 1994 ("Gove")
Ex. 1009	U.S. Patent No. 5,768,533 to Ran ("Ran")
Ex. 1010	U.S. Patent No. 5,742,797 to Celi <i>et al.</i> ("Celi")
Ex. 1011	Joint Claim Construction and Prehearing Statement, <i>Parthenon Unified Memory Architecture LLC v. Apple Inc.</i> , case no. 2:15-cv-632-JRG-RSP (Feb. 16, 2016, E.D. Tex.)
Ex. 1012	Decision of Institution of <i>Inter Partes</i> Review, <i>Samsung Elec. Co., Ltd., et al. v. Parthenon Unified Memory Architecture LLC</i> , IPR2015-01944 (Paper No. 7)
Ex. 1013	Claim Construction Memorandum Opinion and Order, <i>Parthenon Unified Memory Architecture LLC v. ZTE Corp. et al.</i> , No. 2:15-CV-00225 (E.D. Tex.)
Ex. 1014	Claim Construction Memorandum Opinion and Order, <i>Parthenon Unified Memory Architecture LLC v. Samsung Elecs. Co. Ltd. et al.</i> , No. 2:14-CV-00902 (E.D. Tex.)
Ex. 1015	Claim Construction Memorandum Opinion and Order, <i>Parthenon Unified Memory Architecture LLC v. HTC Corp. et al.</i> , 2:14-CV-00690 (E.D. Tex.)
Ex. 1016	Claim Construction Memorandum Opinion and Order, <i>ST Microelectronics, Inc. v. Motorola, Inc. et al.</i> , No. 4:03-CV-00276

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