

Petitioner's Motion for *Pro Hac Vice* Admission of Michael N. Zachary
Case No. IPR2016-01561

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

LIMESTONE MEMORY SYSTEMS LLC,
Patent Owner.

Case IPR2016-01561
Patent No. 6,233,181

APPLE INC'S MOTION FOR *PRO HAC VICE* ADMISSION OF
MICHAEL N. ZACHARY UNDER 37 C.F.R. § 42.10 (c)

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Submitted Electronically via PTAB E2E

TABLE OF EXHIBITS

Exhibit #	Exhibit Description
1001	Declaration of Dr. Pinaki Mazumder
1002	Curriculum Vitae of Dr. Pinaki Mazumder
1003	U.S. Patent No. 6,233,181
1004	File History for U.S. Patent No. 6,233,181
1005	U.S. Patent No. 5,487,040 to Sukegawa
1006	U.S. Patent No. 5,267,214 to Fujishima
1007	U.S. Patent No. 4,967,397 to Walck
1008	U.S. Patent No. 5,956,285 to Watanabe
1009	Masashi Horiguchi et al., <i>A Flexible Redundancy Technique for High-Density DRAM's</i> , IEEE JOURNAL OF SOLID-STATE CIRCUITS, VOL. 26, NO. 1, Jan. 1991, at 12-17
1010	Kazutami Arimoto et al., <i>A 60-ns 3.3-V-Only 16 Mbit DRAM with Multipurpose Register</i> , IEEE JOURNAL OF SOLID-STATE CIRCUITS, VOL. 24, NO. 5, Oct. 1989, at 1184-90
1011	U.S. Patent No. 5,687,123 to Hidaka
1012	U.S. Patent No. 5,726,946 to Yamagata
1013	U.S. Patent No. 6,003,148 to Yamauchi
1014	U.S. Patent No. 6,075,743 to Barth
1015	<i>Inter Partes</i> Review No. IPR2016-00096, Decision Granting Institution filed April 21, 2016
1016	<i>Inter Partes</i> Review No. IPR2016-00096, Judgment Granting Request for Adverse Judgment filed August 3, 2016

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1017	Affidavit of Michael N. Zachary in support of Motion for <i>Pro Hac Vice</i> Admission
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I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10 (c), and as authorized in the Board's Notice of Filing Date issued August 25, 2016 (paper 3), Apple Inc. ("Apple") respectfully requests the *pro hac vice* admission of Michael N. Zachary to serve as back-up counsel for Petitioner in this proceeding.

II. GOVERNING LAWS, RULES, AND PRECEDENT

Section 42.10(c) states as follows:

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. For example, where the 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 showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

Pursuant to the Board's August 25, 2016 Notice of Filing Date, the parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c) in accordance with the guidance specified in the "Order Authorizing Motion for *Pro Hac Vice* Admission" entered in Case IPR2013-000639 (Paper 7)

(“Unified Patents Order”). According to that guidance, *pro hac vice* motions can be filed “no sooner than twenty one (21) days after service of the petition.”

III. STATEMENT OF FACTS

Based on the following facts, and supported by the Affidavit of Mr. Zachary (Ex. 1017) submitted therewith, Petitioner requests the *pro hac vice* admission of Michael N. Zachary in this proceeding.

1. Petitioners’ lead counsel, John R. Hutchins, is a registered practitioner (Reg. No. 43,686), and a partner at the law firm of Andrews Kurth Kenyon LLP.
2. Mr. Zachary is a partner at the law firm of Andrews Kurth Kenyon LLP. Ex. 1017, ¶ 1.
3. Mr. Zachary is an experienced litigation attorney. Mr. Zachary has been litigating patent cases for over 26 years, and has experience litigating patent infringement cases in many district courts. *Id.* at ¶ 3.
3. Mr. Zachary’s patent litigation experience includes involvement in patent validity, claim construction, and infringement issues through pleadings, depositions and other discovery, as well as representation of clients at trial and patent related hearings, such as summary judgment and claim construction proceedings. *Id.*
4. Mr. Zachary has an established familiarity with the subject matter at

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