

By: Christopher Frerking (chris@ntknet.com)
Reg. No. 42,557

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION, GLOBALFOUNDRIES U.S., INC.,
MICRON TECHNOLOGY, INC., and
SAMSUNG ELECTRONICS COMPANY, LTD.,

Petitioners

v.

DANIEL L. FLAMM,

Patent Owner

CASE IPR2017-0281¹
U.S. Patent No. RE40,264 E

**PATENT OWNER'S UNOPPOSED MOTION FOR
WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

Mail Stop: PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹ Samsung Electronics Company, Ltd. was joined as a party to this proceeding via a Motion for Joinder in IPR2017-01751.

I. Relief Requested

Pursuant to 37 C.F.R. § 42.10 and with the Board's authorization for this motion by email dated February 28, 2018, Patent Owner Daniel L. Flamm (Flamm), by its attorney, respectfully requests that the board authorize withdrawal of Christopher Frerking as lead counsel, and appointment of Justin J. Lesko of the Law Offices of Steven G. Lisa, Ltd. as lead counsel and Rolf O. Stadheim of Stadheim & Grear, Ltd. as backup counsel in this proceeding.

II. Statement of Facts Showing Good Cause for the Board to Authorize Withdrawal and Substitution of Counsel

Patent owner's new lead counsel is a registered practitioner (Reg. No. 69,643) and backup counsel is admitted *pro hac vice* by way of the Board's Order dated February 16, 2018 (Paper 20) in this proceeding in accordance with 37 C.F.R. § 42.10(c).

In identifying and designating new counsel who are ready and able to take over the representation, reasonable steps have been taken to "avoid foreseeable prejudice to the rights of the client, including giving due notice to his or her client, [and] allowing time for employment of another practitioner." *See* 37 C.F.R. § 10.40(a). Further, Patent Owner believes that granting this motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. *See* 35 U.S.C.

§ 316(b).

III. No Opposition to this Motion

Patent Owner has confirmed with Petitioner that Petitioner does not oppose the present motion.

IV. Conclusion

Patent Owner respectfully requests that the Board grant its motion to authorize withdrawal of counsel and permit substitution of counsel. Upon grant of this motion, new counsel for Patent Owner will promptly file Amended Patent Owner's Mandatory Notices and a Substitute Power of Attorney.

Respectfully Submitted,

Date: February 28, 2018

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PATENT OWNER'S UNOPPOSED MOTION FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL** was served by electronic mail on this day, February 28, 2018, on the following individuals:

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