

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC.,
INTEL CORPORATION, AND
GLOBALFOUNDRIES U.S., INC.,

Petitioners

v.

DANIEL L. FLAMM,

Patent Owner

Case IPR No. 2017-00392

U.S. Patent No. 5,711,849

Issued: January 27, 1998

Named Inventor: Daniel L. Flamm

Title: PROCESS OPTIMIZATION IN GAS PHASE DRY ETCHING

**PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF JARED
BOBROW PURSUANT TO 37 C.F.R. §42.10**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.10, Petitioner Micron Technology, Inc., Intel Corporation, and GLOBALFOUNDRIES U.S., Inc. (collectively “Petitioners”) respectfully request that the Board admit Jared Bobrow *pro hac vice* in this proceeding.

II. STATEMENT OF FACTS

Pursuant to 37 C.F.R. §42.10(c), 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.

The facts, supported by the accompanying Affidavit of Jared Bobrow in Support of Petitioner’s Motion for Admission *Pro Hac Vice* (“Bobrow Declaration,” Ex.1022), establish good cause to admit Mr. Bobrow *pro hac vice* in this proceeding.

1. Lead counsel Jeremy Jason Lang is a registered practitioner.
2. Backup counsel Robert Magee, Jonathan McFarland, Philip Morin, David Tennant, and Nathan Zhang are all registered practitioners.

3. Jared Bobrow is an experienced litigation attorney. Mr. Bobrow has been a litigating attorney for more than 28 years. Bobrow Decl. ¶ 1. Mr. Bobrow has been litigating patent cases for approximately 25 of those years. *Id.* Mr. Bobrow is a member in good standing of the California State Bar, with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations, and is admitted to practice in the United States Court of Appeals for the Federal Circuit, United States Court of Appeals for the Ninth Circuit, United States Court of Appeals for the First Circuit; California State Supreme Court; the United States District Court for the Eastern District of Texas; and the United States District Courts for the Central, Eastern, Northern and Southern Districts of California. *Id.* ¶¶ 1-4.

4. Mr. Bobrow has familiarity with the subject matter at issue in this proceeding based on his work as counsel in the pending district court case *Daniel L. Flamm v Micron Technology, Inc.*, Case No. 5:16-cv-01581-BLF (N.D. Cal.), in which U.S. Patent Nos. 5,711,849, 6,017,221, and RE40,264 are asserted by the Patent Owner. *Id.* ¶ 9. Mr. Bobrow has been actively involved in all aspects of the pending district court case, including the issue of validity of the patents-in-suit. *Id.*

5. Mr. Bobrow has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of

the C.F.R, and he agrees to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§10.20 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. §11.19(a). *Id.* ¶¶ 5-6.

III. ANALYSIS

The facts contained in the Statement of Facts above, and contained in the Bobrow Declaration, establish that there is good cause to admit Mr. Bobrow *pro hac vice* in this proceeding under 37 C.F.R. §42.10. Lead counsel and Back-up Counsel are registered practitioners, Mr. Bobrow is an experienced litigation attorney, and Mr. Bobrow has an established familiarity with the subject matter at issue in the proceeding.

IV. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the Board admit Jared Bobrow *pro hac vice* in this proceeding.

Dated: January 20, 2017

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