

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC., MICRON SEMICONDUCTOR PRODUCTS,
INC., and MICRON TECHNOLOGY TEXAS LLC

Petitioners,

v.

NETLIST, INC.,

Patent Owner.

Case No. IPR2023-00405

U.S. Patent No. 11,232,054

**PETITIONERS' MOTION FOR PRO HAC VICE ADMISSION OF
MICHAEL R. RUECKHEIM UNDER 37 C.F.R. § 42.10**

PETITIONERS' UPDATED EXHIBIT LIST

Exhibit #	Reference Name
1001	U.S. Patent No. 11,232,054
1002	File History of U.S. Patent No. 11,232,054
1003	Declaration of Dr. Andrew Wolfe
1004	Curriculum Vitae of Dr. Andrew Wolfe
1005	File History of U.S. Provisional Application No. 60/941,586
1006	File History of U.S. Patent Application No. 12/131,873
1007	File History of U.S. Patent Application No. 12/240,916
1008	File History of U.S. Provisional Application No. 61/512,871
1009	File History of U.S. Patent Application No. 13/559,476
1010	File History of U.S. Patent Application No. 14/489,269
1011	File History of U.S. Patent Application No. 14/840,865
1012	File History of U.S. Patent Application No. 15/934,416
1013	File History of U.S. Patent Application No. 17/138,766
1014	<i>SanDisk Corp. v. Netlist, Inc.</i> , IPR2014-00994, Paper No. 1 (PTAB June 20, 2014) (833 Patent IPR Petition)
1015	<i>SanDisk Corp. v. Netlist, Inc.</i> , IPR2014-00994, Paper No. 8 (PTAB December 16, 2014) (833 Patent Institution Decision)
1016	<i>Smart Modular Techs. Inc. v. Netlist, Inc.</i> , IPR2014-01370, Paper No. 8 (PTAB September 22, 2014) (833 Patent IPR Corrected Petition)
1017	<i>Smart Modular Techs. Inc. v. Netlist, Inc.</i> , IPR2014-01370, Paper No. 13 (PTAB March 13, 2015) (833 Patent Institution Decision)

Exhibit #	Reference Name
1018	<i>SK hynix Inc. et al. v. Netlist, Inc.</i> , IPR2017-00649, Paper No. 1 (PTAB January 13, 2017) (833 Patent IPR Petition)
1019	<i>SK hynix Inc. et al. v. Netlist, Inc.</i> , IPR2017-00649, Paper No. 7 (PTAB July 24, 2017) (833 Patent Institution Decision)
1020	<i>SK hynix Inc. et al. v. Netlist, Inc.</i> , IPR2017-00692, Paper No. 1 (PTAB January 17, 2017) (831 Patent IPR Petition)
1021	<i>SK hynix Inc. et al. v. Netlist, Inc.</i> , IPR2017-00692, Paper No. 25 (PTAB July 5, 2018) (831 Patent Final Written Decision)
1022	<i>Micron Tech., Inc. et al. v. Netlist, Inc.</i> , IPR2022-00418, Paper No. 2 (PTAB January 14, 2022) (831 Patent IPR Petition)
1023	U.S. Patent Application Publication No. 2006/0174140 to Harris <i>et al.</i>
1024	U.S. Patent No. 7,724,604 to Amidi <i>et al.</i>
1025	U.S. Patent Application Publication No. 2006/0080515 to Spiers <i>et al.</i>
1026	JEDEC Standard, DDR2 SDRAM Specification, JESD79-2B (January 2005) (“JESD79-2B”)
1027	JEDEC Standard, FBDIMM: Advanced Memory Buffer (AMB), JESD82-20 (March 2007) (“JESD82-20”)
1028	JEDEC Standard, FBDIMM Specification: DDR2 SDRAM Fully Buffered DIMM (FBDIMM) Design Specification, JESD205 (March 2007) (“JESD205”)
1029	Declaration of Julie Carlson for JESD82-20 and JESD205
1030	U.S. Patent No. 7,719,866 to Boldo
1031	PCI Local Bus Specification Revision 2.2 (1998)
1032	Mohan et al., Power Electronics: Converters, Applications, and

Exhibit #	Reference Name
	Design (2d Ed. 1995)
1033	U.S. Patent No. 7,721,130 to Prete <i>et al.</i>
1034	U.S. Patent No. 6,798,709 to Sim <i>et al.</i>
1035	[Intentionally Omitted]
1036	[Intentionally Omitted]
1037	U.S. Patent Application Publication No. 2008/0238536 to Hayashi <i>et al.</i>
1038	U.S. Patent No. 6,856,556 to Hajeck
1039	U.S. Patent Application Publication No. 2010/0257304 to Rajan <i>et al.</i>
1040	Texas Instruments, TPS51020 Datasheet (December 2003)
1041	Fairchild Semiconductor, FAN5026 Datasheet (October 2005)
1042	Murata Power Supply Reference Guide for Xilinx FPGAs (September 2006)
1043	Murata Power Supply Reference Guide for Altera FPGAs (February 2008)
1044	U.S. Patent Application Publication No. 2010/0205470 to Moshayedi <i>et al.</i>
1045	JEDEC Standard, Double Data Rate (DDR) SDRAM Specification, JESD79 (June 2000) (“JESD79”)
1046	JEDEC Standard, DDR3 SDRAM, JESD79-3C (September 2007) (“JESD79-3A”)
1047	U.S. Patent No. 7,023,187 to Shearon <i>et al.</i>
1048	Murata, DC-DC Converter Specification (DRAFT), MPD4S014S Datasheet (January 21, 2008)

Exhibit #	Reference Name
1049	Micron, NAND Flash Memory Datasheet (January 2006)
1050	U.S. Patent No. 7,692,938 to Petter
1051	[Intentionally Omitted]
1052	[Intentionally Omitted]
1053	[Intentionally Omitted]
1054	U.S. Patent No. 11,016,918
1055	U.S. Patent Application Publication No. 2008/0101147 to Amidi
1056	U.S. Patent No. 5,563,839 to Herdt <i>et al.</i>
1057	U.S. Patent No. 6,693,840 to Shimada <i>et al.</i>
1058	Lenk, John D., <i>Simplified Design of Switching Power Supplies</i> (1995)
1059	U.S. Patent No. 7,061,214 to Mayega <i>et al.</i>
1060	U.S. Patent No. 5,630,096 to Zuravleff <i>et al.</i>
1061	Analog Devices, ADM1066 Datasheet (2006)
1062	Alan Moloney, <i>Power-Supply Management—Principles, Problems, and Parts</i> , Analog Dialogue (May 2006)
1063	National Semiconductor, LMC6953 PCI Local Bus Power Supervisor Datasheet (October 1996)
1064	U.S. Patent Application Publication No. 2007/0136523 to Bonella <i>et al.</i>
1065	U.S. Patent Application Publication No. 2009/0034354 to Resnick
1066	U.S. Patent No. 10,672,458 to Shaeffer <i>et al.</i>
1067	LatticeXP Family Data Sheet (March 2006)

Exhibit #	Reference Name
1068	Complaint for Declaratory Judgment of Non-Infringement and Unenforceability; Breach of Contract, <i>Samsung Electronics Co., Ltd. et al. v. Netlist, Inc.</i> , No. 1:21-cv-01453 (D. Del. filed Oct. 15, 2021)
1069	First Amended Complaint for Declaratory Judgment of Non-Infringement and Unenforceability; Breach of Contract, <i>Samsung Electronics Co., Ltd. et al. v. Netlist, Inc.</i> , No. 1:21-cv-01453 (D. Del. filed Jan. 18, 2022)
1070	Netlist's motion to dismiss the First Amended Complaint, <i>Samsung Electronics Co., Ltd. et al. v. Netlist, Inc.</i> , No. 1:21-cv-01453 (D. Del. filed Feb. 16, 2022)
1071	Complaint in <i>Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.</i> , No. 2:21-cv-00463 (E.D. Tex. filed Dec. 20, 2021)
1072	Answer in <i>Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.</i> , No. 2:21-cv-00463 (E.D. Tex. filed Apr. 12, 2022)
1073	Amended Complaint in <i>Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.</i> , No. 2:21-cv-00463 (E.D. Tex. filed May 3, 2022)
1074	Complaint in <i>Netlist, Inc. v. Micron Technology, Inc. et al.</i> , No. 2:22-cv-00203 Dkt. 1 (E.D. Tex. filed June 10, 2022)
1075	Docket Control Order in <i>Netlist, Inc. v. Micron Technology, Inc. et al.</i> , No. 2:22-cv-00203 Dkt. 40 (E.D. Tex. Oct. 21, 2022)
1076	Declaration of Michael Rueckheim in Support of Motion for <i>Pro Hac Vice</i> Admission

Pursuant to 37 C.F.R. § 42.10, and pursuant to the authorization provided by the United States Patent and Trademark Office’s Patent Trial and Appeal Board (“Board”) in Paper Number 4, dated January 23, 2023 (“the Notice”), Petitioners, Micron Technology, Inc.; Micron Semiconductor Products, Inc.; and Micron Technology Texas LLC (“Petitioners”) submit this motion for Michael R. Rueckheim to appear *pro hac vice*.

Petitioners respectfully request the Board to recognize Mr. Rueckheim as counsel *pro hac vice* during this proceeding and demonstrates good cause for doing so as shown below.

I. TIME FOR FILING

Pursuant to the authorization provided in the Notice, this motion for *pro hac vice* admission is being filed no sooner than twenty-one days after service of the Petition.

II. STATEMENT OF FACTS

A. Michael R. Rueckheim

Pursuant to the Notice, the following statement of facts shows that good cause exists for the Board to recognize Mr. Rueckheim *pro hac vice*.

Lead counsel for this proceeding, Juan C. Yaquian, is a registered practitioner (Reg. No. 70,755).

1. Mr. Rueckheim is a litigation attorney with 16 years of litigation

experience. Ex. 1076 ¶ 9. He has been involved in multiple patent litigation cases in federal courts. *Id.* He is counsel for Petitioners in *Netlist, Inc. v. Micron Technology, Inc., Micron Semiconductor Productors, Inc. Micron Technology Texas, LLC*, Civil Action No. 22-CV-203 (E.D. Tex.), filed on June 10, 2022 where the '054 patent is currently being asserted. Ex. 1076 ¶ 8.

Mr. Rueckheim is a member in good standing of the Bars of the State of Texas, California and New York and is admitted to practice before the Federal Circuit Court of Appeal, Fifth Circuit Court of Appeal, U.S. District Court for the Western District of Texas, U.S. District Court for the Eastern District of Texas, U.S. District Court for the Southern District of Texas, U.S. District Court for the Northern District of Texas, U.S. District Court for the Northern District of California, U.S. District Court for the Southern District of New York, U.S. District Court for the Northern District of Illinois, and U.S. District Court for the Eastern District of Wisconsin. *Id.* ¶ 1.

Mr. Rueckheim has not been suspended or disbarred from practice, has never had any application for admission to practice denied, and has never had any sanctions or contempt citations imposed against him. *Id.* ¶¶ 2–4.

Mr. Rueckheim has obtained substantial familiarity with the involved patent, the prior art, and the various issues raised in this proceeding. *Id.* ¶¶ 8–9. Moreover, Mr. Rueckheim has reviewed the involved patent, the Petition, the prior art, and all other cited materials. *Id.* He was involved in the preparation of the Petition. *Id.*

¶ 9. Given his patent litigation experience and familiarity with the Petition, the cited materials, and the patented technology, Mr. Rueckheim has established familiarity with the subject matter at issue in this proceeding. *Id.*

Mr. Rueckheim 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 Title 37 of the Code of Federal Regulations, and he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶¶ 5–6.

Mr. Rueckheim has appeared *pro hac vice* in the last three years before the Board, Case Nos. IPR2020-00859, IPR2020-01081, IPR2020-01383, IPR2021-00343, IPR2021-00344, IPR2021-00345, IPR2021-00940, IPR2021-00941, IPR2022-00418, IPR2022-00236, IPR2022-00744, and IPR2022-00745. *Id.* ¶ 7. Mr. Rueckheim is concurrently applying to appear *pro hac vice* in related Case No. IPR2023-00406. *Id.*

Given Mr. Rueckheim’s familiarity with the subject matter at issue in this proceeding, Petitioners respectfully submits that it has shown good cause for the Board to recognize Mr. Rueckheim as counsel *pro hac vice* during this proceeding.

III. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This Motion is accompanied by Declaration of Mr. Rueckheim.

Dated: September 12, 2023

Respectfully submitted,

/ Juan C. Yaquian /

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PETITIONERS' MOTION FOR PRO HAC VICE ADMISSION OF MICHAEL R. RUECKHEIM UNDER 37 C.F.R. § 42.10 AND EXHIBIT 1076 were served electronically via e-mail on September 12, 2023, in its entirety on the following counsel of record for Patent Owner:

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