

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LAM RESEARCH CORP.,

Petitioner,

v.

INPRIA CORP.,

Patent Owner.

Case No. IPR2024-00033

Patent No. 9,823,564

PETITIONER'S UNOPPOSED MOTION FOR ADMISSION

***PRO HAC VICE* OF ZACHARY D. MILLER**

PURSUANT TO 37 C.F.R. § 42.10

Pursuant to 37 C.F.R. §42.10, Petitioner Lam Research Corp. (“Petitioner”) respectfully requests the *pro hac vice* admission of attorney Zachary D. Miller as backup counsel in this proceeding. The facts, supported by the attached Declaration of Zachary D. Miller in Support of Motion for Admission *Pro Hac Vice* (“Miller Decl.”), establish good cause to admit Mr. Miller *pro hac vice* in this proceeding. Petitioner conferred with Patent Owner, and Patent Owner confirmed that it does not oppose this Motion.

I. STATEMENT OF FACTS

Lead counsel for Petitioner, Dion Bregman, is a registered practitioner (Reg. No. 45,645) and experienced in *inter partes* proceedings in the USPTO. Backup counsel Michael Lyons is a registered practitioner (Reg. No. 37,386) and experienced in *inter partes* proceedings in the USPTO. Along with Michael Lyons, Zachary Miller represents Lam Research Corp. in connection with the pending district court action captioned *Inpria Corp. v. Lam Research Corp.*, 1-22-cv-01359-CJB (D. Del.). Ahren Hsu-Hoffman (Reg. No. 50,862) and Alison Patitucci (Reg. No. 75,370) are also back-up counsel for this matter.

Zachary Miller joined Morgan Lewis as an intellectual property litigation attorney in August 2018 after serving for four years as an associate at McDermott, Will & Emery, LLP. (Miller Decl. ¶ 1.) While at McDermott, Will & Emery, LLP., and now at Morgan Lewis, Mr. Miller has primarily focused his practice on patent

litigation. (*Id.* at ¶ 2.) In that time, Mr. Miller has gained experience conducting technical infringement and validity analysis, working with technical experts to prepare reports on infringement and validity issues, preparing for depositions of technical experts and fact witnesses, briefing claim construction issues, preparing for *Markman* hearings, drafting dispositive motions on a range of technical issues, and representing clients in patent litigation trials and hearings before district courts around the country. (Miller Decl. ¶ 2.) Further, Mr. Miller has assisted his colleagues at Morgan Lewis in proceedings before the Board, and he is familiar with its established practices. (*Id.*)

Mr. Miller is a member in good standing of the Illinois State Bar, admitted to practice in the United States Court of Appeals for the Federal Circuit, and the United States District Court for the Northern District of Illinois. (*Id.* at ¶ 3.)

He has never been suspended or disbarred from practice before any court or administrative body. (*Id.* at ¶ 4.) He has never had an application for admission to practice before any court or administrated body denied. *Id.* Nor has any court or administrative body imposed sanctions or contempt citations against him. (*Id.*) Mr. Miller 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 37 C.F.R. (*Id.* at ¶ 5.) He acknowledges and agrees to be subject to the USPTO Code of Professional

Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. §11.19(a). (*Id.*)

Mr. Miller has not previously applied to appear *pro hac vice* before the Office. (*Id.* at ¶ 6.)

Mr. Miller has established familiarity with the subject matter at issue in this proceeding. (*Id.* at ¶ 7.) Mr. Miller graduated from the University of Notre Dame with a Bachelor of Science in Chemical Engineering. (*Id.*) He has also reviewed in detail and is familiar with U.S. Patent No. 9,823,564.

II. ANALYSIS

The facts contained in the Statement of Facts above and Mr. Miller's Declaration establish that there is good cause to admit Mr. Miller *pro hac vice* in this proceeding under 37 C.F.R. § 42.10 as backup counsel. Lead counsel Dion Bregman and backup counsel Michael Lyons are registered practitioners and experienced in *inter partes* proceedings in the USPTO. Mr. Miller is an experienced patent litigation attorney, and he has an established familiarity with the subject matter at issue in this proceeding.

III. CONCLUSION

For the foregoing reasons, Patent Owners respectfully request that the Board admit Zachary D. Miller *pro hac vice* in this proceeding. If admitted, Petitioner will

file updated mandatory Notices in the referenced proceeding in accordance with 37 C.F.R. § 42.8(b)(3), identifying Mr. Miller as backup counsel.

Respectfully submitted,

Dated: November 19, 2024

/ Dion M. Bregman /
Dion M. Bregman, Reg. No. 45,645

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), it is hereby certified that on November 19, 2024 an electronic copy of this **PETITIONER’S UNOPPOSED MOTION FOR ADMISSION *PRO HAC VICE* OF ZACHARY D. MILLER PURSUANT TO 37 C.F.R. § 42.10** was served via email to Patent Owner’s counsel of record in this proceeding:

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Dated: November 19, 2024

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