

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD.,  
Petitioner  
v.

MICRON TECHNOLOGY, INC.  
Patent Owner

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Case No. IPR2025-00098  
U.S. Patent No. 8,945,996

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**PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE* OF  
JOSUE GUERRA PURSUANT TO 37 C.F.R. § 42.10**

## **LISTING OF EXHIBITS**

| <b>Exhibit</b> | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2001           | Press Release, Micron, <i>Micron and Intel Unveil New 3D NAND Flash Memory</i> (Mar. 26, 2015) (“Micron ‘3D NAND Flash Memory’ Press Release”)                                                                                                                                                                                                                                                                                                                                                                               |
| 2002           | Press Release, Micron, <i>Micron and WekaIO Win Best of Show Award at the Flash Memory Summit 2019</i> (Aug. 29, 2019) (“Micron ‘Best of Show Award’ Press Release”)                                                                                                                                                                                                                                                                                                                                                         |
| 2003           | Micron Technology, Inc., Annual Report (Form 10-K) (Oct. 4, 2024)                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2004           | National Integrated Circuit Industry Development Promotion Outline (Ministry of Industry and Information Technology):<br><br>Ministry of Industry and Information Technology, <i>The Ministry of Industry and Information Technology Officially Announced the “National Integrated Circuit Industry Development Promotion Outline”</i> (Jun. 26, 2014) ( <a href="https://www.cac.gov.cn/2014-06/26/c_1111325916.htm">https://www.cac.gov.cn/2014-06/26/c_1111325916.htm</a> ) (“National IC Development Promotion Outline”) |
| 2005           | Certified English Translation of EX2004 (National IC Development Promotion Outline)                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 2006           | KAREN M. SUTTER ET AL., CONG. RSCH. SERV., R47558, SEMICONDUCTORS AND THE CHIPS ACT: THE GLOBAL CONTEXT (2023)                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2007           | Alex He, <i>Case Study: From Paper Tiger to Real Tiger? The Development of China’s Semiconductor Industry</i> , CENTRE FOR INT’L GOVERNANCE INNOVATION 14 (2021)                                                                                                                                                                                                                                                                                                                                                             |

| Exhibit | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2008    | <p>What kind of enterprise is a state-owned enterprise? (State-owned Assets Supervision and Administration Commission of the State Council (SASAC)):</p> <p>State-Owned Assets Supervision and Administration Commission of the State Council (SASAC), <i>Definition of “State-Owned Enterprise”</i> (July 4, 2019) (<a href="https://www.sasac.gov.cn/n2588040/n2590387/n9854212/c11647665/content.html">https://www.sasac.gov.cn/n2588040/n2590387/n9854212/c11647665/content.html</a>) (“SASAC Definition”)</p> |
| 2009    | Certified English Translation of EX2008 (SASAC Definition)                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 2010    | <p>Notice of the State Council on Issuing “Made in China 2025”:</p> <p>China’s State Council, <i>Notice of the State Council on Issuing “Made in China 2025”</i> (May 19, 2015) (<a href="https://www.gov.cn/zhengce/content/2015-05/19/content_9784.htm">https://www.gov.cn/zhengce/content/2015-05/19/content_9784.htm</a>) (“Made in China 2025”)</p>                                                                                                                                                           |
| 2011    | Certified English Translation of EX2010 (Made in China 2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2012    | KAREN M. SUTTER, CONG. RSCH. SERV., R46767, CHINA’S NEW SEMICONDUCTOR POLICIES: ISSUES FOR CONGRESS (2021)                                                                                                                                                                                                                                                                                                                                                                                                         |
| 2013    | <p>Accelerating the realization of high-level scientific and technological self-reliance (People):</p> <p>Liu Yuanchun et al., <i>Accelerating the Realization of High-Level Scientific and Technological Self-Reliance</i>, PEOPLE (July 15, 2024) (<a href="http://paper.people.com.cn/zgjzk/html/2024-07/15/nw.zgjzk_20240715_1-05.htm">http://paper.people.com.cn/zgjzk/html/2024-07/15/nw.zgjzk_20240715_1-05.htm</a>) (“People’s Paper Article”)</p>                                                         |
| 2014    | Certified English Translation of EX2013 ( <i>People’s Paper Article</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 2015    | <p>Yangtze Memory Technologies Co. Ltd. Officially Established (YMTC):</p> <p>YMTC, <i>Yangtze Memory Technologies Co. Ltd. Officially Established</i> (Aug. 1, 2016) (<a href="https://www.ymtc.com/cn/news/28.html">https://www.ymtc.com/cn/news/28.html</a>) (“YMTC Press Release”)</p>                                                                                                                                                                                                                         |

| Exhibit | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2016    | Certified English Translation of EX2015 (YMTC Press Release)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2017    | Testimony of Stephen Ezell (VP, Global Innovation Policy – Information Technology & Innovation Foundation) Before the U.S.-China Economic and Security Review Commission (Apr. 14, 2022)                                                                                                                                                                                                                                                                                                                                                                       |
| 2018    | Yahoo! Finance, South China Morning Post, Tech War: China’s Top Memory Chip Maker YMTC Gets US\$7 Billion From State-Backed Investors (Mar. 2, 2023) (“ <i>Yahoo!</i> Article”)                                                                                                                                                                                                                                                                                                                                                                                |
| 2019    | Yangtze Memory Increases Capital and Expands Capacity to RMB 100 Billion, Big Fund Phase II Forms a Partnership with Local Hubei State-owned Assets (Baidu):<br><br>Baidu, <i>Yangtze Memory Increases Capital and Expands Capacity to RMB 100 Billion, Big Fund Phase II Forms a Partnership with Local Hubei State-owned Assets</i> (Mar. 2, 2023) ( <a href="https://baijiahao.baidu.com/s?id=1759256650733024656&amp;wfr=spider&amp;for=pc">https://baijiahao.baidu.com/s?id=1759256650733024656&amp;wfr=spider&amp;for=pc</a> ) (“ <i>Baidu</i> Article”) |
| 2020    | Certified English Translation of EX2019 ( <i>Baidu</i> Article)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 2021    | YMTC’s Rule 7.1 Corporate Disclosure Statement (Nov. 9, 2023), <i>Yangtze Memory Technologies Company, Ltd. v. Micron Technology, Inc.</i> , C.A. No. 5:23-cv-05792-VKD (N.D. Cal.)                                                                                                                                                                                                                                                                                                                                                                            |
| 2022    | Wuhan Optics Valley Financial Holding Group Co., Ltd. 2024 Tracking Rating Report (Lianhe Credit Rating Co., Ltd.):<br><br>Lianhe Credit Rating Co., Ltd., Wuhan Optics Valley Financial Holding Group Co., Ltd., 2024 Tracking Rating Report (Jun. 28, 2024) (“2024 Tracking Rating Report”)                                                                                                                                                                                                                                                                  |
| 2023    | Certified English Translation of EX2022 (2024 Tracking Rating Report)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| Exhibit | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2024    | <p>Focusing on Key Points and Making Breakthroughs in Innovation, Hubei Solidly Promotes the Deepening and Improvement Actions to Go Deeper and More Concrete (State owned Assets Supervision and Administration Commission of the State Council (SASAC)):</p> <p>State-Owned Assets Supervision and Administration Commission of the State Council (SASAC), <i>Focusing on Key Points and Making Breakthroughs in Innovation, Hubei Solidly Promotes the Deepening and Improvement Actions to Go Deeper and More Concrete</i> (Mar. 25, 2024)<br/> (<a href="http://www.sasac.gov.cn/n4470048/n29955503/n30329277/n30329358/c30380577/content.html">www.sasac.gov.cn/n4470048/n29955503/n30329277/n30329358/c30380577/content.html</a>) (“Statement of China’s State Council”)</p> |
| 2025    | Certified English Translation of EX2024 (Statement of China’s State Council)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 2026    | <p>Yangtze Memory’s “Double 11 Performance” Surpassed Samsung’s for the First Time (Sina Finance):</p> <p>Sina Finance, <i>Yangtze Memory’s “Double 11 Performance” Surpassed Samsung’s for the First Time</i> (Nov. 12, 2024)<br/> (<a href="https://finance.sina.com.cn/roll/2024-11-12/doc-incvupap6483110.shtml">https://finance.sina.com.cn/roll/2024-11-12/doc-incvupap6483110.shtml</a>) (“Sina Finance Article”)</p>                                                                                                                                                                                                                                                                                                                                                        |
| 2027    | Certified English Translation of EX2026 ( <i>Sina Finance</i> Article)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2028    | <p>Yangtze Memory Technologies Co., Ltd. 2024 Campus Recruitment (Southeast University):</p> <p>Southeast University, <i>Yangtze Memory Technologies Co., Ltd. 2024 Campus Recruitment</i> (Mar. 13, 2024) (<a href="https://seu.91job.org.cn/substation/lectureDetail?xjhid=1000000000301932&amp;xxdm=10286">https://seu.91job.org.cn/substation/lectureDetail?xjhid=1000000000301932&amp;xxdm=10286</a>) (“Southeast Univ., YMTC 2024 Campus Recruitment”)</p>                                                                                                                                                                                                                                                                                                                    |
| 2029    | Certified English Translation of EX2028 (Southeast Univ., YMTC 2024 Campus Recruitment)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| Exhibit | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2030    | <p>Yangtze Memory Technologies Co., Ltd. 2020 Campus Recruitment Introduction (Wuhan University of Science and Technology):</p> <p>Wuhan University of Science and Technology, <i>Yangtze Memory Technologies Co., Ltd. 2020 Campus Recruitment Introduction</i> (Sept. 10, 2019) (<a href="https://wust.91wllm.cn/teachin/view/id/97310">https://wust.91wllm.cn/teachin/view/id/97310</a>) (“Wuhan Univ. of Sci. and Tech., YMTC 2020 Campus Recruitment Introduction”)</p> |
| 2031    | <p>Certified English Translation of EX2030 (Wuhan Univ. of Sci. and Tech., YMTC 2020 Campus Recruitment Introduction)</p>                                                                                                                                                                                                                                                                                                                                                    |
| 2032    | <p>Yangtze Memory 2025 Campus Recruitment (China University of Petroleum (Beijing)):</p> <p>China University of Petroleum, <i>Yangtze Memory 2025 Campus Recruitment</i> (Feb. 20, 2025) (<a href="https://career.cup.edu.cn/job/view/id/618140">https://career.cup.edu.cn/job/view/id/618140</a>) (“China Univ. Of Petroleum, YMTC 2025 Campus Recruitment”)</p>                                                                                                            |
| 2033    | <p>Certified English Translation of EX2032 (China Univ. Of Petroleum, YMTC 2025 Campus Recruitment)</p>                                                                                                                                                                                                                                                                                                                                                                      |
| 2034    | <p>U.S. Chip Equipment Suppliers Suspend Business Activities at Yangtze Memory (Wall Street Journal – China):</p> <p>Yoko Kubota et al., <i>U.S. Chip Equipment Suppliers Suspend Business Activities at Yangtze Memory</i>, WALL STREET JOURNAL CHINA (Oct. 13, 2022) (<a href="https://cn.wsj.com/articles/美国供应商暂停在中国长江存储科技的业务活动-11665617406">https://cn.wsj.com/articles/美国供应商暂停在中国长江存储科技的业务活动-11665617406</a>) (“<i>WSJ China Article</i>”)</p>                          |
| 2035    | <p>Certified English Translation of EX2034 (<i>WSJ China Article</i>)</p>                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2036    | <p>Letter from Michael T. McCaul, Member of Congress, and Bill Hagerty, U.S. Senator, to the Honorable Gina Raimondo, U.S. Commerce Secretary (July 12, 2021)</p>                                                                                                                                                                                                                                                                                                            |

| Exhibit | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2037    | Demetri Sevastopulo, <i>Bipartisan Group Urges US Blacklist for “Beijing-Directed” Chipmaker</i> , FINANCIAL TIMES (Sept. 20, 2022) ( <a href="https://www.ft.com/content/173eb5b7-c211-4fa8-af8e-93382ed12836">https://www.ft.com/content/173eb5b7-c211-4fa8-af8e-93382ed12836</a> ) (“ <i>Financial Times</i> Article”)                                                                                                                                                                                                                   |
| 2038    | U.S. Senator Charles E. Schumer, <i>With Chinese Chip Companies Threatening National Security And Jobs, Schumer Announces President Has Heeded His Call And Will Add YMTC - One Of China’s Leading Chip Makers - To A Trade Blacklist; Administration Action Will Strengthen National Security And Protect The Domestic Chip Industry</i> (Dec. 16, 2022) (“Schumer Statement”)                                                                                                                                                             |
| 2039    | U.S. Department of Defense, <i>DOD Releases List of People’s Republic of China (PRC) Military Companies in Accordance with Section 1260H of the National Defense Authorization Act for Fiscal Year 2021</i> (Jan. 31, 2024) ( <a href="https://www.defense.gov/News/Releases/Release/article/3661985/dod-releases-list-of-peoples-republic-of-china-prc-military-companies-in-accord/">https://www.defense.gov/News/Releases/Release/article/3661985/dod-releases-list-of-peoples-republic-of-china-prc-military-companies-in-accord/</a> ) |
| 2040    | U.S. Department of Defense, <i>Entities Identified as Chinese Military Companies Operating in the United States in accordance with Section 1260H of the William M. (“Mac”) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283)</i> ( <a href="https://media.defense.gov/2024/Jan/31/2003384819/-1/-1/0/1260H-LIST.PDF">https://media.defense.gov/2024/Jan/31/2003384819/-1/-1/0/1260H-LIST.PDF</a> )                                                                                                    |
| 2041    | <i>Intentionally Omitted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 2042    | U.S. Postal Service, <i>Postal Facts</i> , USPS Fact #59 (Apr. 22, 2024)                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2043    | <i>Intentionally Omitted</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 2044    | <i>Oversight of the USPTO: Hearing Before the Subcomm. On Intellectual Property</i> , 118th Cong. (2023) (Testimony of Katherine Vidal, Undersecretary of Commerce for IP and Director of USPTO)                                                                                                                                                                                                                                                                                                                                            |

| Exhibit | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2045    | Press Release, DOJ Office of Public Affairs, Taiwan Company Pleads Guilty to Trade Secret Theft in Criminal Case Involving PRC State-Owned Company (Oct. 28, 2020)<br>( <a href="https://www.justice.gov/archives/opa/pr/taiwan-company-pleads-guilty-trade-secret-theft-criminal-case-involving-prc-state-owned">https://www.justice.gov/archives/opa/pr/taiwan-company-pleads-guilty-trade-secret-theft-criminal-case-involving-prc-state-owned</a> ) (“DOJ Press Release”)                                                                                                                                |
| 2046    | Notice of the State Council on Issuing Policies to Promote the High-quality Development of the Integrated Circuit Industry and Software Industry in the New Era:<br><br>China’s State Council, <i>Notice of the State Council on Issuing Policies to Promote the High-quality Development of the Integrated Circuit Industry and Software Industry in the New Era</i> (Aug. 4, 2020) ( <a href="https://www.gov.cn/zhengce/content/2020-08/04/content_5532370.htm">https://www.gov.cn/zhengce/content/2020-08/04/content_5532370.htm</a> ) (“State Council Notice on Policies to Promote Development of IC”) |
| 2047    | Certified English Translation of EX2046 (State Council Notice on Policies to Promote Development of IC)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 2048    | Declaration of Karen Lee, Translator (Mar. 10, 2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 2049    | Declaration of Fei-Xue Qian, Translator (Mar. 10, 2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 2050    | Email from Andrew Kellogg (PTAB) regarding IPR2025-00098 and IPR2025-00099: Request for Leave to File Preliminary Reply, dated April 7, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2051    | Declaration of Josue Guerra in Support of Patent Owner’s Motion for Admission <i>Pro Hac Vice</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

Pursuant to 37 C.F.R. § 42.10, Patent Owner Micron Technology, Inc. (“Micron” or “Patent Owner”) respectfully requests that the Board admit Josue Guerra *pro hac vice* in this proceeding.

## **I. 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 Declaration of Josue Guerra in Support of Patent Owner’s Motion for Admission *Pro Hac Vice* (Ex. 2051, “Guerra Declaration”), establish good cause to admit Mr. Guerra *pro hac vice* in this proceeding.

Lead counsel Jeremy Jason Lang is a registered practitioner.

Josue Guerra is an experienced litigation attorney. Mr. Guerra has been a judicial law clerk for the Honorable Beth Bloom of the United States District Court for the Southern District of Florida for over 1 year and litigating attorney for nearly 3 years, focusing his practice on intellectual property matters. Guerra Declaration ¶¶ 1, 8. Mr. Guerra 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 Federal Claims. *Id.* ¶¶ 1-4.

Mr. Guerra has familiarity with the subject matter at issue in this proceeding and in the related district court case: *Yangtze Memory Technologies Co., Ltd. v. Micron Technology, Inc. & Micron Consumer Products Group, LLC*, Case No. 3:23-cv-05792-RFL (N.D. Cal., filed Nov. 9, 2023), in which U.S. Patent No. 8,945,996 was counter-asserted by the Patent Owner. Guerra Declaration ¶ 9.

Ms. Guerra 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). Guerra Declaration ¶¶ 5-6.

## II. ANALYSIS

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

## III. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Josue Guerra *pro hac vice* in this proceeding.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: August 12, 2025

/Jeremy Jason Lang/

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*Attorneys for Patent Owner Micron  
Technology, Inc.*

## **CERTIFICATE OF SERVICE**

The undersigned hereby confirms that the foregoing Patent Owner's Motion for Admission of Josue Guerra was caused to be served on August 12, 2025 via electronic mail, upon the following attorneys of record for Petitioner:

James L. Davis (James.L.Davis@ropesgray.com)  
Christopher M. Bonny (Christopher.Bonny@ropesgray.com)  
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*/Valerie Cloyd/*

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Valerie Cloyd