

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NUVOTON TECHNOLOGY CORPORATION,  
Petitioner

v.

MICROCHIP TECHNOLOGY INCORPORATED,  
Patent Owner.

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Case No. IPR2020-00394  
U.S. Patent No. 7,930,576

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**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF  
BRIAN C. BANNER PURSUANT TO 37 C.F.R. § 42.10(c)**

Pursuant to 37 C.F.R. § 42.10(c), Microchip Technology Incorporated (“Microchip”) respectfully moves the Patent Trial and Appeal Board to recognize counsel Brian C. Banner *pro hac vice* for purposes of the above-captioned *inter partes* review.

**I. AUTHORIZATION FOR THIS MOTION**

This motion was authorized pursuant to the Board's notice according a filing date to the petition. (Paper No. 5, February 7, 2020.)

**II. STATEMENT OF FACTS - GOOD CAUSE EXISTS TO GRANT THIS MOTION**

Good cause exists to recognize Mr. Banner *pro hac vice*. The undersigned lead counsel, Bruce W. Slayden II, is a registered practitioner. Further, facts supporting this motion are set forth in the accompanying Declaration In Support Of Motion For *Pro Hac Vice* Admission of Brian C. Banner (Ex. 2001).

**a. Bar Membership.**

Mr. Banner is admitted to practice in Texas and is a member in good standing of the Texas State Bar. (*Id.* ¶ 2.)

**b. No Suspensions or Disbarments.**

Mr. Banner has not been suspended or disbarred from practice before any court or administrative body. (*Id.* ¶ 3.)

**c. No Denied Applications.**

Mr. Banner has never been denied an application for admission to practice before any court or administrative body. (*Id.* ¶ 4.)

**d. No Sanctions.**

Mr. Banner has never been sanctioned or cited for contempt by any court or administrative body. (*Id.* ¶ 5.)

**e. Board Guide and Rules.**

Mr. Banner has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R. (*Id.* ¶ 6.)

**f. USPTO Rules of Professional Conduct.**

Mr. Banner will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (*Id.* ¶ 7.)

**g. Pro Hac Vice Appearances.**

Mr. Banner has appeared *pro hac vice* before the Office in the last three (3) years in the following proceedings:

*Delphi Technologies, Inc. v. Microchip Technology Incorporated*, IPR2017-00970 (PTAB);

*Delphi Technologies, Inc. f/k/a Delphi Technologies, Inc. et al. v. Microchip Technology Incorporated*, IPR2017-00861 (PTAB); and

*Delphi Technologies, Inc. f/k/a Delphi Technologies, Inc. et al. v. Microchip Technology Incorporated*, IPR2017-00864 (PTAB). (*Id.* ¶ 8.)

**h. Familiarity with Subject Matter.**

Mr. Banner is an experienced litigation attorney with an established familiarity with the subject matter at issue in this *inter partes* review. He is an attorney of record in the corresponding district court litigation. *Microchip Technology Incorporated v. Nuvoton Technology Corporation America and Nuvoton Technology Corporation*, Case No. 3:19-cv-01690-SI (N.D.Cal.). (Ex. 2001 at ¶9.) Mr. Banner received his B.S. from Carnegie Mellon University and his J.D. from the University of Texas School of Law. (*Id.* ¶ 10.)

Dated: February 12, 2020

Respectfully submitted,

/s/ Bruce W. Slayden II

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies the above-captioned Patent Owner's Motion for *Pro Hac Vice* Admission of Brian C. Banner Pursuant to 37 C.F.R. § 42.10(c) was served in its entirety on February 12, 2020, upon the following parties by sending a copy via email to the following addresses:

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