

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BLOOMBERG INC.; BLOOMBERG L.P.; BLOOMBERG FINANCE L.P.;  
THE CHARLES SCHWAB CORPORATION;  
CHARLES SCHWAB & CO., INC.;  
E\*TRADE FINANCIAL CORPORATION; E\*TRADE SECURITIES LLC;  
E\*TRADE CLEARING LLC; OPTIONSXPRESS HOLDINGS INC.;  
OPTIONSXPRESS, INC.; TD AMERITRADE HOLDING CORP.;  
TD AMERITRADE, INC.; TD AMERITRADE IP COMPANY, INC.; and  
THINKORSWIM GROUP INC.  
Petitioner,

v.

Patent of MARKETS-ALERT PTY LTD.  
Patent Owner.

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Case CBM2013-00005 (JYC)  
Patent 7,941,357

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JONI Y. CHANG, *Administrative Patent Judges.*

**ORDER – AUTHORIZING MOTION FOR  
PRO HAC VICE ADMISSION – 37 C.F.R. § 42.10**

The patent owner, Markets-Alert Pty. Ltd. (“Markets-Alert”), has requested that the Board authorize a motion for *pro hac vice* admission. Paper 11.

In addition, Markets-Alert filed a motion for Ms. Adrian Pruetz to appear *pro hac vice*, accompanied by a declaration of Ms. Pruetz in support of the motion, on November 13, 2012. Papers 8 and 10.

As set forth in 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.

Accordingly, the Board authorizes both parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Such motions must be filed in accordance with “ORDER – AUTHORIZING MOTION FOR *PRO HAC VICE* ADMISSION” in Case IPR2013-000010, specifically section 2, “Content of Motion” on pages 3-4. A copy of that order is provided in the attachment. Parties seeking to oppose a motion for *pro hac vice* admission must file their opposition no later than one week after the later of: (1) the filing of the underlying motion, or

Case CBM2013-00005 (JYC)  
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(2) the date of this order. Further, no reply to any opposition shall be filed unless authorized by the Board.

/Joni Y. Chang/  
Administrative Patent Judges

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# ATTACHMENT

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOTOROLA MOBILITY LLC  
Petitioner,

v.

Patent of MICHAEL ARNOUSE  
Patent Owner.

Case IPR2013-00010 (MPT)  
Patent 7,516,484

Before JAMES DONALD SMITH, *Chief Administrative Patent Judge*, JAMES T. MOORE, *Vice Chief Administrative Patent Judge*, MICHAEL P. TIERNEY, *Lead Administrative Patent Judge*,<sup>1</sup> and JAMESON LEE, SALLY G. LANE, SALLY C. MEDLEY, JONI Y. CHANG, THOMAS L. GIANNETTI, and BRIAN J. McNAMARA, *Administrative Patent Judges*.

TIERNEY, *Lead Administrative Patent Judge*.

**ORDER – AUTHORIZING MOTION FOR  
PRO HAC VICE ADMISSION – 37 C.F.R. § 42.10**

<sup>1</sup> Judge Tierney serves as lead judge of the Board's Trial Section.

# ATTACHMENT

Motorola Mobility, LLC (“Motorola”) has requested that the Board authorize a motion for *pro hac vice* admission. Petition, Paper 2 at 2. Specifically, Motorola requests that the Board authorize a motion for Steven D. Moore to appear *pro hac vice*. According to Motorola, Mr. Moore is an experienced litigating attorney and is familiar with the subject matter at issue in the proceeding as Mr. Moore is lead counsel in a concurrent litigation involving the same patent as that challenged in this proceeding.

Section 42.10(c) of the Code of Federal Regulations (C.F.R.) provides that:

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 Board authorizes both parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c) as follows:

1. *Time for Filing*

The time for filing *pro hac vice* motions is no sooner than twenty one (21) days after service of the petition, which is the time for filing patent owner mandatory notices. Parties seeking to oppose a motion for *pro hac vice* admission

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