

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HEWLETT-PACKARD COMPANY,
Petitioner

v.

YYZ, LLC,
Patent Owner

CBM2015-00049

MOTION FOR *PRO HAC VICE* ADMISSION OF MATTHEW FAUST

U.S. PATENT NO. 7,062,749

Pursuant to 37 C.F.R. § 42.10(c), and as authorized in the Board’s Notice of Filing Date Accorded to Petition (Paper 3), Petitioner Hewlett-Packard Co. (“HP”) respectfully requests *pro hac vice* admission of Matthew Faust as backup counsel in this proceeding.

I. Time for Filing

This motion is timely because it is being filed no sooner than twenty one (21) days after service of the Petition in this proceeding.

II. Statement of Facts

The following statement of facts demonstrates that there is good cause for the Board to recognize Matthew Faust as counsel *pro hac vice* in this proceeding.

Mr. Faust is an experienced litigation attorney and has extensive experience litigating patent infringement actions in many different District Court cases. Mr. Faust is admitted to practice law in New York, and federal court in the Southern District of New York and the Eastern District of Michigan.

Mr. Faust has an established familiarity with the subject matter at issue in this proceeding. Mr. Faust has been representing HP against Patent Owner YYZ, LLC (“YYZ”) as counsel since January 2013 in a related District Court case currently pending in the District of Delaware, *YYZ, LLC v. Hewlett-Packard Co.*, No. 1:13-cv-00136-SLR (D. Del.). In this related proceeding, YYZ has asserted U.S. Patent No. 7,062,749 (“the ’749 patent”) against HP. As counsel in this related

proceeding, Mr. Faust has, among other things, been heavily involved with analyzing validity of the '749 patent. Accordingly, HP requests that Mr. Faust continue as counsel in this CBM proceeding as well.¹

III. Declaration of Matthew Faust

As directed by the Board in the Order Authorizing *Pro Hac Vice* Admission in Case IPR2013-00639, Paper 7 (“Representative Order”), this motion is accompanied by the Declaration of Matthew Faust (Ex. 1035) attesting to the requirements laid out in the Representative Order.

For the foregoing reasons, HP respectfully requests admission of Mr. Faust as counsel *pro hac vice* in this proceeding.

Respectfully submitted,

January 30, 2015

By: /Brian S. Mudge/
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Lead Counsel for Petitioner
Matthew Faust
Adeel Haroon (Reg. No. 64,938)
Backup Counsel for Petitioner

¹ Petitioner is concurrently filing a motion for *pro hac vice* admission of Matthew Faust in CBM2015-00050, which involves the same parties as the instant proceeding.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Motion for *Pro Hac Vice* Motion of Matthew Faust and associated Exhibit were served via Express Mail upon the following:

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Date: January 30, 2015

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