

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**APPLE INC., SAMSUNG ELECTRONICS LTD. and SAMSUNG  
ELECTRONICS AMERICA, INC., and GOOGLE, INC.**

Petitioners,

v.

**SMARTFLASH LLC**

Patent Owner.

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Case CBM2015-00132  
Case CBM2015-00031  
Case CBM2015-00032  
Case CBM2015-00133<sup>1</sup>  
Patent No. 8,336,772 B2

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**UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF  
CHARLES K. VERHOEVEN**

Pursuant to 37 C.F.R. § 42.10, and as authorized in the Board's Notice of Filing Date Accorded to Petition (Paper 9), Petitioner Google Inc. ("Google")

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<sup>1</sup> Google challenged claims 1, 5, 9, 10, 14, 21, and 22 of U.S. Patent No. 8,336,772 in CBM2015-00132. Google's challenge to claims 1, 5, and 10 was consolidated with CBM2015-00031. CBM2015-00132, Pap. 15. Google's challenge to claims 14 and 22 was consolidated with CBM2015-00032. *Id.* Google's challenge to claims 9 and 21 was consolidated with CBM2015-00133. *Id.* Identical motions for *pro hac vice* admission and supporting declarations are being filed in CBM2015-00031, CBM2015-00032, CBM2015-00132, and CBM2015-00133.

respectfully requests *pro hac vice* admission of Charles K. Verhoeven as 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 Google's Petition in its proceeding, which occurred on May 6, 2015.

## **II. STATEMENT OF FACTS**

The facts stated below and the affidavit of Charles K. Verhoeven filed concurrently herewith demonstrate good cause for the Board to recognize Mr. Verhoeven as *pro hac vice* counsel in this proceeding.

Mr. Verhoeven is an experienced litigation attorney and has been practicing law since 1989. His practice focuses on intellectual property litigation, and he has litigated patent infringement cases in district courts throughout the country.

Among his experience in patent litigation matters, Mr. Verhoeven has participated in all stages of district court proceedings, including *Markman* hearings, trials, and other patent-related hearings and proceedings concerning patent validity and infringement issues. Mr. Verhoeven is widely recognized as a leading patent litigator, including being repeatedly listed as one of the "leading individuals" in California in the field of intellectual property by *Chambers USA*.

Mr. Verhoeven has experience and is familiar with U.S. Patent No. 8,336,772 (“the ’772 patent”). He is lead counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., HTC Corporation, and HTC America, Inc. in currently stayed district court litigation where Smartflash asserts infringement of U.S. Patent Nos. 7,334,720; 7,942,317; 8,033,458; 8,061,598; and 8,336,772, based in part on those defendants’ use of Google Play. (*Smartflash LLC v. Samsung Elecs. Co., Ltd., et al.*, E.D. Tex. No. 6:13-cv-448.) As counsel in those district court proceedings, Mr. Verhoeven has been involved in all aspects of the defense, including with respect to issues regarding the invalidity of the ’772 patent.

In light of Mr. Verhoeven’s experience and familiarity with the ’772 patent, Google prefers that Mr. Verhoeven act as counsel in this proceeding as well. Furthermore, Smartflash and Apple do not oppose Mr. Verhoeven’s admission as *pro hac vice* counsel.

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For the reasons outlined in this motion and in the accompanying declaration, Google respectfully requests admission of Charles K. Verhoeven as *pro hac vice* counsel.

Dated: December 23, 2015

Respectfully submitted,

*/Raymond N. Nimrod/*

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## **CERTIFICATE OF SERVICE**

I hereby certify that on December 23, 2015 I served the foregoing motion  
and attached declaration by email to:

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Date: December 23, 2015

*/Adam Botzenhart/*  
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