

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INNOLUX CORPORATION
(formerly CHI MEI INNOLUX CORPORATION)

Petitioner

v.

SEMICONDUCTOR ENERGY
LABORATORY CO., LTD.

Patent OWNER

Case IPR2013-00064

Patent 7,923,311

**PETITIONER'S MOTION FOR ADMISSION
PRO HAC VICE OF STANLEY M. GIBSON
PURSUANT TO 37 C.F.R. §42.10**

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I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.10 and the Board's "Order Authorizing Motion for *Pro Hac Vice* Admission – 37 C.F.R. §42.10," entered on December 5, 2012, Petitioner Chi Mei Innolux Corporation (now known as Innolux Corporation) requests that the Board admit Stanley M. Gibson *pro hac vice* in this proceeding.

II. 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.

37 C.F.R. §42.10(c). The facts, supported by the attached Declaration of Stanley M. Gibson in Support of Motion for Admission *Pro Hac Vice* ("Gibson Decl."), establish good cause to admit Mr. Gibson *pro hac vice* in this proceeding.

1. Lead counsel Scott A. McKeown is a registered practitioner and is experienced in *inter partes* proceedings in the USPTO.

2. Backup counsel Gregory S. Cordrey is a registered practitioner and is experienced in *inter partes* proceedings in the USPTO.

3. Stanley M. Gibson is an experienced litigation attorney. Mr. Gibson has been a litigating attorney for more than 20 years. (Gibson Decl. ¶ 1.) Mr. Gibson has been litigating patent cases for approximately twelve of those years. (*Id.* ¶ 2.) Mr. Gibson 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 Appeals for the Federal Circuit, United States Court of Appeals for the Ninth Circuit, and the United States District Courts for the Southern, Central and Northern Districts of California. (*Id.* ¶¶ 3-6.)

4. Mr. Gibson has familiarity with the subject matter at issue in this proceeding based on his work as lead counsel in the pending district court case *Semiconductor Energy Laboratory Co., Ltd. v. Chi Mei Innolux Corp., et al.*, SACV12-0021-JST (C.D. Cal.), which involves the same patent at issue in this proceeding. (*Id.* ¶ 7.) Mr. Gibson has been actively involved in all aspects of the pending district court case, including the issue of validity of the patents-in-suit. (*Id.* ¶¶ 7-8.)

5. Mr. Gibson 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). (*Id.* ¶¶ 9-10.) Mr. Gibson has applied to appear pro hac vice in other proceedings before the

Office in the last three (3) years as indicated in the attached declaration. (*Id.*
¶¶11-12.)

6. Patent Owner Semiconductor Energy Laboratory Co., Ltd.
has indicated that this Motion will not be opposed.

7. On March 29, 2013, Mr. Gibson applied to appear pro hac
vice before the Office in Inter Partes Review Cases IPR2013-00028 and
IPR2013-00038. On April 2, 2013, the Office granted these motions for pro
hac vice admission. On April 30, 2013, Mr. Gibson applied to appear pro
hac vice before the Office in Inter Partes Review Cases IPR2013-00066 and
IPR2013-000368. A decision on these motions for pro hac vice admission
has not yet been received.

III. ANALYSIS

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

IV. CONCLUSION

For the foregoing reasons, Petitioner respectfully request that the Board admit Stanley M. Gibson *pro hac vice* in this proceeding.

Respectfully submitted,

Dated: May 6, 2013

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