

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CMI CORP.  
Petitioner

v.

Patent of HIRAKATA YOSHIHARU and  
SHUNPEI YAMAZAKI  
Patent Owner

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Case IPR2013-00066  
Patent 7,876,413

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Before MARIA VIGNONE, *Supervisory Trial Clerk*.

Date Mailed: December 5, 2012

NOTICE OF FILING DATE ACCORDED TO PETITION

AND

TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE

The petition for *inter partes review* in the above proceeding has been accorded the filing date of November 30, 2012.

Administrative Patent Judge Sally C. Medley has been designated to manage the proceeding. 37 C.F.R. § 42.5.

Patent Owner may file a preliminary response to the petition no later than three months from the date of this notice. The preliminary response is

Case IPR2013-00066  
Patent 7,876,413

limited to setting forth the reasons why the requested review should not be instituted. Patent Owner may also file an election to waive the preliminary response to expedite the proceeding. For more information, please consult the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), which is available on the Board Web site at <http://www.uspto.gov/PTAB>.

Patent Owner is advised of the requirement to submit mandatory notice information under 37 C.F.R. § 42.8(a)(2) within 21 days of service of the petition.

The parties are advised that under 37 C.F.R. § 42.10(c), recognition of counsel *pro hac vice* requires a showing of good cause. The parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Such motions shall be filed in accordance with the “Order -- Authorizing Motion *for Pro Hac Vice* Admission” in Case IPR2013-00010 (MPT), a copy of which is attached to this Notice.

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Review Processing System (PRPS), accessible from the Board Web site at <http://www.uspto.gov/PTAB>. To file documents, users must first obtain a user ID and password by registering with PRPS. Information regarding how to register with and use PRPS is available at the Board Web site.

If there are any questions pertaining to this notice, please contact the Patent Trial and Appeal Board at 571-272-7822.

Case IPR2013-00066  
Patent 7,876,413

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MOTOROLA MOBILITY LLC  
Petitioner,

v.

Patent of MICHAEL ARNOUSE  
Patent Owner.

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

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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**

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

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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