

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Sipnet EU S.R.O.,

Petitioner

v.

Innovative Communications Technologies, Inc.

(now known as Straight Path IP Group, Inc.),

Patent Owner

Case No. IPR2013-00246

U.S. Patent No. 6,108,704

**PATENT OWNER'S MOTION FOR ADMISSION PRO HAC VICE
OF ALAN M. FISCH**

July 17, 2013

I. STATEMENT OF PRECISE RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) and Paper No. 7, Patent Owner Straight Path IP Group, Inc. (“Straight Path”) respectfully requests that the Patent Trial and Appeal Board (“the Board”) admit Alan M. Fisch *pro hac vice* in this proceeding, IPR2013-00246.

II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL *PRO HAC VICE* DURING THIS PROCEEDING

In accordance with 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. Section 42.10(c) indicates that “where 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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Mr. Fisch *pro hac vice* in this proceeding.

1. Lead counsel, Patrick J. Lee, is a registered practitioner.
2. Counsel, Alan M. Fisch, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion as Exhibit 2014 is the July 17, 2013 Declaration of Alan M. Fisch in Support of this Motion for Admission Pro Hac Vice (“Fisch Decl.”). In his declaration, Mr. Fisch asserts:

I am a member in good standing of the Bar of the State of New York and the Bar of the District of Columbia, and am admitted to practice before the United States Supreme Court, United States Courts of Appeal for the Second, Fourth, Sixth, and Federal Circuits, the United States District Court for the Eastern District of Texas, United States District Court for the District of Columbia, United States District Court for the Northern District

of Illinois, the United States District Court for the Western District of Tennessee, and all New York State Courts.

Fisch Decl. ¶ 3 (Ex. 2014). Mr. Fisch also asserts:

I am familiar with the subject matter at issue in this proceeding. I previously was counsel in *Net2Phone, Inc. v. eBay Inc., Skype Inc., et al.*, Civil Action No. 06-2469 (DCNJ), which involves the U.S. Patent subject to this *Inter Partes* Review.

Fisch Decl. ¶ 10 (Ex. 2014). Mr. Fisch also asserts:

I previously was a Patent Examiner at the United States Patent and Trademark Office for two years, where I focused on computer-related patent applications, including hardware and software.

Fisch Decl. ¶ 2 (Ex. 2014).

3. In his declaration, Mr. Fisch also attests to each of the listed items required by the Order - Authorizing Motion for *Pro Hac Vice* Admission - 37 C.F.R. § 42.10 in IPR2013-00246.

See Fisch Decl. ¶¶ 1-12 (Ex. 2014).

III. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Alan M. Fisch *pro hac vice* in this proceeding.

Case No. IPR2013-00246

Date: July 17, 2013

Respectfully Submitted,

/Patrick J. Lee/
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