

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BROSE NORTH AMERICA, INC.
and
BROSE FAHRZEUGTEILE GMBH & CO.
Petitioners

v.

UUSI, LLC
Patent Owner

Case Number: IPR2014-00417
Patent No. 7,579,802

MOTION FOR PRO HAC VICE ADMISSION UNDER 37 C.F.R. § 42.10

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Patent Trial and Appeal Board
U.S. Patent and Trademark
Office P.O. Box 1450
Alexandria, VA 22313-1450

Petitioners respectfully request that the Board recognize Mr. Luke L. Dauchot as counsel *pro hac vice* during this proceeding under 37 C.F.R. § 42.10. Petitioners seek Mr. Dauchot's assistance because of his experience assisting Petitioner Brose North America, Inc. on patent-related matters and his experience on the substantive and technical issues involved in this proceeding. Petitioners note that their lead and back-up counsel, Craig D. Leavell (No. 48,505) and Alyse Wu (No. 68,926) are registered practitioners.

I. STATEMENT OF FACTS

Mr. Dauchot is an experienced patent litigation attorney, with over 20 years of experience in discovery, jury and bench trials, Markman hearings, and appellate oral arguments in patent infringement matters. Mr. Dauchot is a member of the American Bar Association (Intellectual Property Law and Litigation Sections), American Intellectual Property Law Association, International Bar Association, Los Angeles Intellectual Property Law Association, and Judge Paul R. Michel Intellectual Property American Inn of Court (Executive Committee member). Mr. Dauchot's biography, including a list of representative cases, distinctions, publications, and professional activities, is attached as Exhibit A.

Mr. Dauchot was granted *pro hac vice* admission by the Office in multiple separate proceedings:

- *NuVasive, Inc. v. Warsaw Orthopedic, Inc.*, IPR2013-00206 (granted on May 15, 2013, Paper 10);
- *NuVasive, Inc. v. Warsaw Orthopedic, Inc.*, IPR2013-00208 (granted on May 15, 2013, Paper 10);
- *NuVasive, Inc. v. Warsaw Orthopedic, Inc.*, IPR2013-00395 (granted on February 25, 2014, Paper 19); and
- *NuVasive, Inc. v. Warsaw Orthopedic, Inc.*, IPR2013-00396 (granted on February 25, 2014, Paper 19).

Furthermore, U.S. Patent No. 7,579,802 is currently asserted in a co-pending litigation, *UUSI, LLC v. Robert Bosch LLC and Brose North America, Inc.*, No. 2:13-cv-10444 (E.D. Mich) (the “co-pending litigation”). Mr. Dauchot is lead counsel for Petitioner Brose North America, Inc. in the co-pending litigation and, as such, has an established familiarity with the subject matter at issue in this proceeding. Petitioners wish to use Mr. Dauchot as counsel in this proceeding.

Therefore, there is good cause for the Board to recognize Mr. Dauchot as counsel *pro hac vice* during this proceeding.

II. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Mr. Luke L. Dauchot. This affidavit is submitted as Exhibit 1042.

Date: September 10, 2014

Respectfully submitted,

/s/ Craig D. Leavell

Craig D. Leavell (Reg. No. 48505)

Alyse Wu (Reg. No. 68926)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Motion for *Pro Hac Vice* Admission and copy of the Affidavit of Mr. Luke L. Dauchot in Support of Motion for *Pro Hac Vice* Admission was served on September 10, 2014 via FedEx delivery directed to the attorney of record for the patent at the following address:

TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P.

1300 East Ninth Street, Suite 1700
Cleveland, Ohio 44114

A copy was also served via FedEx delivery on:

George D. Moustakas
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy, MI 48098

/s/ Craig D. Leavell
Craig D. Leavell