

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SkyHawke Technologies, LLC
Petitioner

v.

L&H Concepts, LLC
Patent Owner

Case IPR2014-00437
Patent 5,779,566

**PATENT OWNER L&H CONCEPTS, LLC'S
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION
UNDER 37 C.F.R. § 42.10(c)**

Exhibit No.	Description
2001	<i>Berk-Tek LLC v. Belden Technologies Inc.</i> , IPR2013-00057 (Paper 21, May 14, 2013)
2002	<i>In re Morris</i> , 127 F.3d 1048 (Fed. Cir. 1997)
2003	<i>NTP, Inc. v. Research In Motion, Ltd.</i> , 418 F.3d 1282 (Fed. Cir. 2005)
2004	<i>Catalina Mktg. Int'l, Inc. v. Coolsavings.com, Inc.</i> , 289 F.3d 801 (Fed. Cir. 2002)
2005	<i>Novatek, Inc. v. Sollami Co.</i> , No. 2013-1389, 2014 U.S. App. LEXIS 5512 (Fed. Cir. Mar. 26, 2014)
2006	'566 patent prosecution history, May 27, 1997 Office Action Response
2007	<i>Blackberry Corporation, et a., v. Mobilemedia Ideas, LLC</i> , IPR2013-00036, (Paper 65, Mar. 7, 2014)
2008	<i>Universal Remote Control, Inc. v. Universal Electronics, Inc.</i> , IPR2013-00152, (Paper 8, Aug. 19, 2013)
2009	<i>Sony Corp v. Yissum Research Development Co. of the Hebrew Univ. of Jerusalem</i> , IPR2013-00219 (Paper 33, Nov. 21, 2013)
2010	<i>Liberty Mutual Ins. Co. v. Progressive Casualty Co.</i> , CBM2012-00003 (Paper 7, Oct. 25, 2012)
2011	<i>Oracle Corp. v. Patent of Clouding IP, LLC</i> , IPR2013-00075 (Paper 15, June 13, 2013)
2012	Declaration of David S. Morris in Support of Patent Owner's Motion for <i>Pro Hac Vice</i> Admission

Pursuant to 37 C.F.R. § 42.10(c), the Patent Owner, L&H Concepts, LLC (“L&H Concepts”), respectfully requests that the Board recognize David S. Morris as counsel *pro hac vice* in this proceeding. Patent Owner seeks the counsel of David S. Morris due to his experience as a litigator and, more specifically, for his experience in representing L&H Concepts in the infringement litigation involving the 5,779,566 patent (the “’566 patent”) before the United States District Court for the Southern District of Mississippi, Civil Action No. 3:14-cv-00224-HTW-LRA. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on February 27, 2014, as Paper No. 3.

Statement of Facts

Mr. Morris is a patent litigation attorney with more than 11 years of experience representing clients in a broad range of cases. Through his practice, Mr. Morris has gained substantial experience in trials, appeals, motions, and discovery. Mr. Morris received his law degree at the University of Virginia in 2001 and began his legal career at the Austin, Texas office of Wilson Sonsini Goodrich & Rosati. In March of 2003, he joined the firm now known as Winstead PC, where he litigated in state and federal courts in a wide range of cases, including significant patent litigation in the Eastern District of Texas, the Western District of Texas, and the Eastern District of Virginia. In December of 2013, Mr.

Morris joined Fish & Richardson P.C., where the overwhelming majority of his practice has consisted of patent litigation, *inter partes* review proceedings, and other matters involving intellectual property.

Mr. Morris also has particular experience and familiarity with the substantive and technical issues involved in this *inter partes* review proceeding. The co-pending litigation matter is *L&H Concepts, LLC v. SkyHawke Technologies, LLC*, Civil Action No. 3:14-cv-00224-HTW-LRA (which was transferred from the Eastern District of Texas, and is pending in the District Court for the Southern District of Mississippi). Mr. Morris has been closely involved in that case since joining Fish & Richardson P.C., and significant financial resources have been invested in connection with same. Moreover, through his representation in these matters, L&H Concepts has developed a particular relationship of trust and respect with Mr. Morris such that L&H Concepts desires to continue the relationship with Mr. Morris in this *inter partes* proceeding.

Affidavit of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of David S. Morris as required by the Order Authorizing Motion for *Pro Hac Vice* entered on October 15, 2013 in IPR2013-000699 (Paper 7).

Accordingly, L&H Concepts submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize David S. Morris as counsel *pro hac vice* during this proceeding.

Statement of Non-Opposition

Counsel for Skyhawke has confirmed that SkyHawke is unopposed to Mr. Morris's admission *pro hac vice*.

Respectfully submitted,

Date: October 9, 2014

/David M. Hoffman/

David M. Hoffman

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