

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**CONOPCO, INC. d/b/a UNILEVER**  
**Petitioner**

**v.**

**THE PROCTER & GAMBLE COMPANY**  
**Patent Owner**

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**Case IPR2014-00507**  
**Patent 6,451,300**

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**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF  
THOMAS R. GOOTS PURSUANT TO 37 C.F.R. § 42.10(c)**

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

## I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner The Procter & Gamble Company (“P&G”) respectfully requests the *pro hac vice* admission of Thomas R. Goots in this proceeding. In email correspondence between Patent Owner and Petitioner dated June 26, 2014, Petitioner agreed not to oppose this motion.

## II. LEGAL STANDARD

Section 42.10(c) states as follows:

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.

In the Notice of Filing Date Accorded (Paper 5), the Board advised that motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c) must be filed in accordance with the “Order – Authorizing Motion for *Pro Hac Vice* Admission” entered in Case IPR2013-00639, Paper 7 (“*Unified Patent Order*”).

The *Unified Patent Order* requires that such motions (1) “[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel

*pro hac vice* during the proceeding;” and (2) “[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following”:

- i. Membership in good standing of the Bar of at least one State or the District of Columbia;
- ii. No suspensions or disbarments from practice before any court or administrative body;
- iii. No application for admission to practice before any court or administrative body ever denied;
- iv. No sanctions or contempt citations imposed by any court or administrative body;
- v. The individual seeking to appear has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of the C.F.R.;
- vi. The individual will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

- vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and
- viii. Familiarity with the subject matter at issue in the proceeding.

### III. STATEMENT OF FACTS

Based on the following facts, and supported by the Affidavit of Mr. Goots (Ex. 2010) submitted herewith, Patent Owner requests the *pro hac vice* admission of Thomas R. Goots in this proceeding:

1. Patent Owner's lead counsel, David M. Maiorana, is a registered practitioner (Reg. No. 41,449).
2. Mr. Goots is a Partner at the law firm of Jones Day. (Ex. 2010 at ¶ 3.)
3. Mr. Goots is an experienced patent litigation attorney. Mr. Goots has been a patent litigation attorney for nearly 19 years. (*Id.* at ¶ 4.)  
  
Mr. Goots has been litigating patent cases during the entire time period and, in particular, has litigated at least 25 patent infringement actions involving a variety of matters, including those involving chemical compositions. (*Id.*)
4. Mr. Goots is a member of good standing of the State Bar of Ohio. (*Id.* at ¶ 5.)

5. Mr. Goots has never been suspended or disbarred from practice before any court or administrative body. (*Id.* at ¶ 5.)
6. No application of Mr. Goots for admission to practice before any court or administrative body has ever been ultimately denied. (*Id.* at ¶ 6.)
7. No sanctions or contempt citations have ever been imposed against Mr. Goots by any court or administrative body. (*Id.* at ¶ 7.)
8. Mr. Goots has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R. (*Id.* at ¶ 8.)
9. Mr. Goots understands that he will be subject to USPTO Rules of Professional Conduct set forth in 37 C.F.R §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (*Id.* at ¶ 9.)
10. Mr. Goots is concurrently seeking *pro hac vice* admission to appear in co-pending, related matters against the Petitioner, Cases IPR2013-00505, IPR2014-00506, and IPR2013-00509. (*Id.* at ¶ 10.)

#### **IV. GOOD CAUSE EXISTS FOR THE *PRO HAC VICE* ADMISSION OF MR. GOOTS IN THIS PROCEEDING**

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. 37 C.F.R.

§ 42.10(c). Patent Owner's lead counsel, David M. Maiorana, is a registered

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