

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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THE GILLETTE COMPANY,  
Petitioner

v.

ZOND, LLC  
Patent Owner

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*Inter Partes* Review Case No. IPR2014-00580

Patent 6,896,773 B2

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

This Motion for *Pro Hac Vice* admission is filed on behalf of Zond, LLC (“Zond” or “Patent Owner”). Zond respectfully moves that the Board recognize Mr. Etai Lahav as counsel *pro hac vice* during this proceeding.

**1. Time for Filing**

This Motion for *Pro Hac Vice* Admission is being filed no sooner than twenty-one (21) days after service of the petition. *See Unified Patents, Inc. v.*

*Parallel Iron, LLC*, IPR2013-00639, Paper No. 7.

## **2. Statement of Facts Showing Good Cause for Admission of Counsel**

### ***Pro Hac Vice***

Petitioner has been authorized to file motions seeking admission *pro hac vice* under 37 C.F.R. 42.10(c). (Paper No. 3). Petitioner's lead and back-up counsel are registered practitioners:

Lead Counsel: Dr. Gregory J. Gonsalves, USPTO Reg. No. 43,639; and

Backup Counsel: Bruce Barker, USPTO Reg. No. 33,291.

Mr. Lahav is a skilled litigator, has extensively participated in the co-pending litigation in federal district court involving the patent at issue in this proceeding, and if admitted, will be involved with the depositions that occur in this proceeding. U.S. Patent No. 6,896,773 is currently asserted by the Patent Owner in co-pending litigation, in the District of Massachusetts, 1:14-cv-12438-WGY (*Zond v. Fujitsu, et al.*) ("the co-pending litigation"). Mr. Lahav is a member of the New York bar in good standing, and is representing the Patent Owner in the co-pending litigation.

Mr. Lahav has analyzed prior art references and claim charts in connection with invalidity contentions and has been involved in forming claim construction positions related to the claimed inventions, all of which are relevant to the petition requesting *inter partes* review of U.S. Patent No. 6,896,773. Patent

Owner wishes to apply Mr. Lahav's knowledge of the patent by employing him as counsel in this proceeding. Admission of Mr. Lahav *pro hac vice* will enable Patent Owner to avoid unnecessary expense and duplication of work between this proceeding and the co-pending litigation.

Patent Owner's lead and backup counsel are registered practitioners and Mr. Lahav is an experienced litigation attorney having familiarity with the subject matter at issue in this proceeding. Therefore, Patent Owner respectfully submits that there is good cause for the Board to recognize Mr. Lahav as counsel *pro hac vice* during this proceeding.

### **3. Affidavit of Individual Seeking to Appear**

This Motion for *Pro Hac Vice* Admission is supported by an Affidavit of Mr. Lahav (Ex. 2001).

Date: November 11, 2014

Respectfully submitted,

/Mr. Bruce Barker/  
Mr. Bruce Barker  
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Counsel for Patent Owner Zond, LLC

**CERTIFICATE OF SERVICE**

I certify that the foregoing Motion for *Pro Hac Vice* Admission was served on the Petitioner by email to the following email addresses on November 11, 2014.

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