

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCEDES-BENZ USA, LLC

Petitioner

v.

AMERICAN VEHICULAR SCIENCES, LLC

Patent Owner

Case No. IPR2014-00647

Patent No. 5,845,000

**MOTION FOR *PRO HAC VICE* ADMISSION
OF JONATHAN R. DEFOSSE PURSUANT TO 37 C.F.R. § 42.10(c)**

Pursuant to the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response dated April 24, 2014 (the “Notice”), Petitioner Mercedes-Benz USA, LLC respectfully requests the *pro hac vice* admission of Jonathan R. DeFosse as backup counsel for Petitioner in the above-captioned proceeding.

1. Time for Filing

Pursuant to the Notice and the Representative Order in Case IPR2013-00639, Paper 7 (the “Representative Order”), this motion is filed no sooner than twenty-one (21) days after service of the petition. The petition was served on April 16, 2014; thus the earliest permissible filing date for this motion was May 7, 2014.

2. Content of Motion

a. Statement of Facts

Pursuant to the Representative Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. DeFosse *pro hac vice* during the current proceeding.

Mr. DeFosse is a litigation attorney experienced in patent cases, and is admitted to practice law in Virginia and the District of Columbia, as well as before several United States District Courts and Courts of Appeal.

Mr. DeFosse has an established familiarity with the subject matter at issue in this proceeding, having represented Petitioner as a defendant in the related

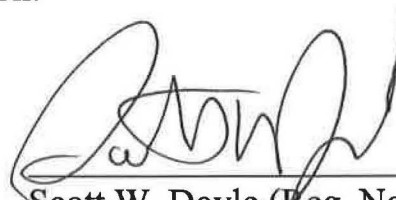
proceeding *American Vehicular Sciences LLC v. Mercedes-Benz U.S. Int'l Inc.*, No. 6:13-cv-00308 (E.D. Tex.). In this related proceeding, Patent Owner has asserted U.S. Patent No. 5,845,000 against Petitioner. Mr. DeFosse's experience representing Petitioner in this related proceeding, concerning the same patent against the same Patent Owner, provides him with an established familiarity with the subject matter at issue in the current proceeding.

Petitioner therefore respectfully submits that there is good cause for the Board to recognize Mr. DeFosse *pro hac vice* during the current proceeding.

b. Declaration

Pursuant to the Representative Order, a declaration of Jonathan R. DeFosse is submitted as Exhibit 1016 to this motion.

Dated: June 3, 2014

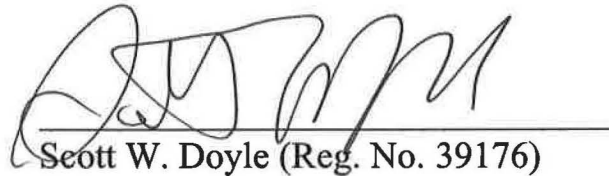


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CERTIFICATE OF SERVICE

The undersigned hereby confirms that the foregoing **MOTION FOR *PRO HAC VICE* ADMISSION OF JONATHAN R. DEFOSSE PURSUANT TO 37 C.F.R. § 42.10(c)**, along with associated Exhibit 1016, was served on June 3, 2014, via electronic mail upon the following:

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