

Filed on behalf of The Gillette Company
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THE GILLETTE COMPANY
Petitioner

v.

Patent Owner of
U.S. Patent No. 6,896,773 to Roman Chistyakov

IPR Trial No. IPR2014-00726

**PETITIONER'S UNOPPOSED MOTION FOR ADMISSION *PRO HAC VICE* OF
COSMIN MAIER**

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. § 42.10(c) and Paper No. 4 authorizing the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Petitioner The Gillette Company requests that the Patent Trial and Appeal Board (the "Board") admit Cosmin Maier *pro hac vice* in this proceeding, IPR2014-00726. Patent Owner Zond, LLC does not oppose.

II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding

In accordance with 37 C.F.R. § 42.10(c), 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. Section 42.10(c) indicates that "where 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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding." The facts here establish good cause for the Board to recognize Cosmin Maier *pro hac vice* in this proceeding.

1. Lead counsel, Michael Diener, is a registered practitioner. Backup counsel, Larissa Park, is also a registered practitioner.
2. Counsel, Cosmin Maier, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion as Exhibit 1123 is the November 11, 2014 Declaration of Cosmin Maier in Support of this Motion for Admission *Pro Hac Vice* ("Maier Decl."). In his declaration, Mr. Maier states:

I am a member in good standing of the Bar of the State of New York, and am admitted to practice before the United States Court of Appeals for the Federal Circuit, the United States District Court for the Southern District of New York

and the Eastern District of New York, and all New York State courts. I have been admitted *pro hac vice* in many district courts including the Eastern District of Texas, the Northern and Central Districts of California, and the Western District of Washington.

Maier Decl. ¶ 2 (Ex. 1123). Mr. Maier also states:

I am familiar with the subject matter at issue in this proceeding. I am counsel in *Zond, LLC v. The Gillette Co. and The Procter & Gamble Co.*, No. 1:13-CV-11567-DJC (D. Mass.) (filed July 1, 2013), which is related to and involves the same patent at issue in this proceeding. ... I received B.S.E. and M.S.E. degrees in Electrical Engineering from the University of Michigan in 2003 and 2004, respectively.

Maier Decl. ¶¶ 10-11 (Ex. 1123).

3. The Board has recognized “that there is a need for [a party] to have its related litigation counsel involved” in the *inter partes* review process. *LKQ Corp. v. ClearLamp, LLC*, Case IPR2013-00020 (Dec. 5, 2012), Paper 13.

4. In his declaration, Mr. Maier also attests to each of the listed items required by the “Order—Authorizing Motion for *Pro Hac Vice* Admission” in Case IPR2013--00639, Paper 7 and agrees to be subject to the United States Patent and Trademark Office’s Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* See Maier Decl. ¶¶ 1-12 (Ex. 1123).

5. Finally, this proceeding is just one of six parallel proceedings before this Board that involve the same Petitioners and Patent Owner, as well as the same lead and backup counsel. See Case Nos. IPR2014-00477, IPR2014-00479, IPR2014-00578, IPR2014-00604, and

IPR2014-00280. Mr. Maier's admission is necessary to enable him to assist lead and backup counsel with litigation-related tasks—e.g., taking depositions of Patent Owner's experts—in these concurrent proceedings.

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Cosmin Maier *pro hac vice* in this proceeding.

Respectfully Submitted,

/Michael A. Diener/

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Dated: November 11, 2014

CERTIFICATE OF SERVICE

I hereby certify that on November 11, 2014, I caused a true and correct copy of the following materials:

- Petitioner's Unopposed Motion for Admission *Pro Hac Vice* of Cosmin Maier
- Exhibit 1123
- Petitioner's List of Exhibits

to be served via electronic mail on the following counsel of record for Patent Owner:

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