

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG DISPLAY CO., LTD.
Petitioner

v.

INNOVATIVE DISPLAY TECHNOLOGIES LLC
Patent Owner

Case: IPR2014-01096

Patent 7,537,370

**PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION OF JAMIE
B. BEABER PURSUANT TO 37 C.F.R. § 42.10(c)**

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

PETITIONER'S EXHIBIT LIST

Description	Exhibit #
Previously Filed	
U.S. Patent No. 7,537,370	1001
Prosecution History of U.S. Patent No. 7,537,370	1002
Complaints filed in Related District Court Cases	1003
Declaration of Michael J. Escuti, Ph.D. ("Escuti Decl.")	1004
U.S. Patent No. 5,461,547 ("Ciupke")	1005
U.S. Patent No. 5,005,108 ("Pristash")	1006
EP500960 ("Ohe")	1007
U.S. Patent No. 5,408,388 ("Kobayashi")	1008
U.S. Patent No. 5,160,195 ("Miller")	1009
J. A. Castellano, <i>Handbook of Display Technology</i> , Academic Press Inc., San Diego, 1992, at pp. 9-13 and Ch. 8	1010
U.S. Patent No. 5,598,280 ("Nishio")	1011
U.S. Patent No. 5,384,658 ("Ohtake")	1012
U.S. Patent No. 5,303,322 ("Winston")	1013
U.S. Patent No. 5,050,946 ("Hathaway")	1014
U.S. Patent No. 5,828,488 ("Ouderkirk")	1015
3M product brochure 75-0500-0403-7, "Brightness Enhancement Film (BEF)," 2 pages (1993)	1016
U.S. Patent No. 5,706,134 ("Konno")	1017
U.S. Patent No. 5,944,405 ("Takeuchi")	1018
Currently Filed	
Declaration of Jamie B. Beaber in Support of Motion for <i>Pro Hac Vice</i> Admission	1019

Pursuant to 37 C.F.R. § 42.10(c) and in response to the authorization provided by the United States Patent and Trademark Office's Patent Trial and Appeal Board ("Board") in the Notice of Filing Date Accorded to Petition (Paper Number 3, entered July 16, 2014) ("Notice"), Petitioner LG Display Co., Ltd. ("Petitioner") hereby files this motion for Jamie B. Beaber to appear *pro hac vice* on its behalf, as

back-up counsel, before the Board in IPR2014-01096.¹ This motion follows the guidelines set forth in IPR2013-00639, Paper 7, entered October 15, 2013 (“Order”).

I. TIME FOR FILING

Pursuant to the Order, this motion for *pro hac vice* admission is being filed no sooner than twenty-one (21) days after service of the petition.

II. STATEMENT OF FACTS

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

Lead counsel for this proceeding, Robert G. Pluta, is a registered practitioner (Registration No. 50,970).

Mr. Beaber is an experienced litigation attorney, and has been involved in numerous patent infringement cases in the U.S. International Trade Commission and in federal District Courts across the country. He has experience in various aspects of patent infringement matters including trials, Markman hearings, and summary judgment hearings. Mr. Beaber is a member in good standing of the District of Columbia Bar and the Michigan Bar, and is admitted to practice before the United

¹ Corresponding motions for *Pro Hac Vice* admission are being concurrently filed in co-pending cases IPR2014-01092, IPR2014-01094, IPR2014-01095, IPR2014-01097, IPR2014-01357, IPR2014-01359, and IPR2014-01362.

States Court of Appeals for the Federal Circuit, the District of Columbia Court of Appeals, and the United States District Courts for the Eastern District of Texas and the District of Columbia. Mr. Beaber has not been suspended or disbarred from practice, never had any application for admission to practice denied, nor had any sanctions or contempt citations imposed against him.

Mr. Beaber is lead counsel for the defendants, which include Petitioner, in a co-pending litigation, *Delaware Display Group LLC and Innovative Display Technologies LLC v. LG Electronics, Inc., LG Electronics U.S.A., Inc., LG Display Co., Ltd., and LG Display America, Inc.*, Case No. 1:13-cv-02109, pending in the United States District Court for the District of Delaware. That litigation involves U.S. Patent No. 7,537,370 (“the ’370 Patent”), the same patent at issue in this proceeding, as well as several other patents in the same family as the ’370 Patent. In his role as lead counsel in the co-pending litigation, Mr. Beaber has reviewed and is familiar with the ’370 Patent and related patents, the asserted prior art references, and invalidity claim charts. Further, Mr. Beaber has been involved and is familiar with the factual and legal arguments at issue

in that case. As such, Mr. Beaber has established familiarity with the subject matter at issue in this proceeding.²

Mr. Beaber 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 37 C.F.R., and he agrees to 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). Mr. Beaber is concurrently applying to appear *pro hac vice* in IPR2014-01092, IPR2014-01094, IPR2014-01095, IPR2014-01097, IPR2014-01357, IPR2014-01359, and IPR2014-01362. Mr. Beaber has not applied to appear *pro hac vice* before the Board in connection with any other proceedings in the last three years.

Petitioner has expended significant financial resources in the co-pending litigation with Mr. Beaber as counsel, and Petitioner wishes to continue using Mr. Beaber in this proceeding.

² Mr. Beaber also entered an appearance as counsel for third parties Dell Inc. in Case No. 2:13-cv-00523 (E.D. Tex.) on September 5, 2014 and Hewlett-Packard Company in Case No. 2:13-cv-00524 (E.D. Tex.) on October 8, 2014. Each of these cases involve the '370 Patent and related patents. Although these cases do not involve Petitioner, Mr. Beaber's role in these cases further underscores his familiarity with the subject matter at issue in this proceeding.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.