

Filed on behalf of Innovative Display Technologies LLC.

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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 IPR2014-01097
U.S. Patent No. 7,300,194

***PRO HAC VICE* MOTION TO ADMIT ATTORNEY T. WILLIAM
KENNEDY PURSUANT TO 37 C.F.R. § 42.10(c)**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450

Patent Owner Innovative Display Technologies LLC (“IDT”) hereby files this motion pursuant to 37 C.F.R. § 42.10(c) for T. William Kennedy to appear *pro hac vice* on its behalf before the Patent Trial and Appeal Board in IPR2014-01097. This motion follows the guidelines set forth in IPR2013-00639, Paper 7, entered October 15, 2013.

I. Statement of Facts.

IDT has already designated a registered practitioner, Justin B. Kimble (reg. no. 58,591) as lead counsel, and IDT intends to designate T. William Kennedy as one of its back-up counsel in the event this motion is granted. The following statement of facts shows that there is good cause for the Board to recognize T. William Kennedy *pro hac vice* during this proceeding.

Mr. Kennedy is a patent litigator with over eight years’ experience, including significant experience in the area of patent validity. In the many patent litigations in which he has been counsel, he was worked extensively on issues relating to 35 U.S.C. §§ 102, 103, and 112 challenges to patent validity including things such as working closely with experts on validity and invalidity reports, preparing invalidity arguments for trial, developing invalidity and validity arguments, and reviewing and analyzing numerous prosecution histories and prior art references. Mr. Kennedy has also spent significant time learning the procedure of *inter partes* review.

Mr. Kennedy currently represents the Patent Owner in its assertion of the patent at issue in this proceeding and its related patents in numerous cases pending in the District of Delaware and the Eastern District of Texas. *See, e.g., Innovative Display Technologies LLC v. Sprint Corporation et al.*, No. 2:13-cv-00721 (E.D. Tex., filed June 25, 2014); *see also Delaware Display Group LLC et al. v. Sony Corp et al.*, No. 1:13-cv-02111 (D. Del., filed Dec. 31, 2013). As counsel in those actions, Mr. Kennedy has become very familiar the subject matter at issue in this proceeding, *i.e.*, light emitting panel assemblies. Moreover, during the course of those lawsuits, Mr. Kennedy has analyzed the prior art involved in this petition as it relates to the patent-at-issue as well as its related patents, all of which concern light emitting panel assemblies. Furthermore, in those lawsuits Mr. Kennedy has developed infringement allegations that assert the patent-at-issue in this petition against various light emitting panel assemblies, including those found in smart phones, tablets, laptop computers, and televisions to name a few. In his role as counsel in those litigations, Mr. Kennedy has spent significant time learning the technology involved in light emitting panel assemblies such as those found in the patent-at-issue in this proceeding.

As of this date, there are currently 38 total pending IPRs covering the patent-at-issue and its related patents. Mr. Kennedy has familiarized himself which each of those pending petitions. Given the sheer number of pending IPRs related to this

patent family and Mr. Kennedy's already extensive knowledge of the patents, prior art, and IPRs, Patent Owner asks the PTAB to grant this motion to afford Patent Owner the benefit of having an additional attorney authorized on this matter.

II. Mr. Kennedy has Submitted Herewith a Declaration¹ Attesting the Following Facts.

1. Mr. Kennedy is a member in good standing of the Texas State Bar.
2. Mr. Kennedy has never been subject to any suspensions or disbarments from practice before any court or administrative body.
3. None of Mr. Kennedy's applications for admission to practice before any court or administrative body has ever been denied.
4. Mr. Kennedy has never been sanctioned nor had contempt citations imposed by any court or administrative body.
5. Mr. Kennedy 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.
6. Mr. Kennedy 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).

¹ See Declaration of T. William Kennedy, attached hereto as Exhibit 2007.

7. During the past three years, Mr. Kennedy has applied to appear *pro hac vice* before the PTAB in one other proceeding (IPR2014-01096), the motion for which was filed concurrently with this motion. Mr. Kennedy intends to file *pro hac vice* motions for the remainder of the IPRs asserted in this patent family.
8. Mr. Kennedy has familiarity with the subject matter at issue in the proceeding as set forth in Section I above.

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