

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NORMAN INTERNATIONAL, INC.
Petitioner

v.

HUNTER DOUGLAS INC.
Patent Owner

CASE IPR2014-01175
Patent No. 6,968,884

**PETITIONER'S
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION
UNDER 37 C.F.R. § 42.10(c)**

September 28, 2015

UPDATED EXHIBIT LIST

| Norman Exhibit # | Brief Description |
|-------------------------|---|
| 1001 | U.S. Patent No. 6,968,884 B2 (“the 884 Patent”) |
| 1002 | Japanese Patent Application Publication S54-38648 (“Tachikawa”) Pages 1-4: English Translation Pages 5-8: Original Japanese Publication Page 9: Translator Certification |
| 1003 | U.S. Patent No. 3,327,765 (“Strahm”) |
| 1004 | Great Britain Patent No. 1,174,127 (“Skidmore”) |
| 1005 | U.S. Patent No. 1,870,532 (“Schuetz”) |
| 1006 | U.S. Patent No. 2,390,826 (“Cohn”) |
| 1007 | U.S. Patent No. 6,056,036 (“Todd”) |
| 1008 | U.S. Patent No. 6,293,329 (“Toti”) |
| 1009 | Declaration of Lawrence E. Carlson in Support of Petition for Inter Partes Review of U.S. Patent No. 6,968,884B2 (“Carlson Declaration on 884 Patent”) |
| 1010 | Declaration of Patrick E. Foley in Support of Petition for Inter Partes Review of U.S. Patent No. 6,968,884B2 (“Foley Declaration on 884 Patent”) |

CASE IPR2014-01175 (Patent 6,968,884)
Petitioner's Unopposed Motion for Pro Hac Vice Admission

| Norman Exhibit # | Brief Description |
|-------------------------|---|
| 1011 | Proof Of Service on July 16, 2013 of Summons in Civil Action No. 1:13-cv-01412-MSK-MJW (D. COLO.) ("Proof of Service") |
| 1012 | Declaration Of Sara Hare ("Hare Declaration") |
| 1013 | Declaration of Lawrence E. Carlson in Support of Petitioner's Reply to Patent Owner's Response of May 4, 2015 |
| 1014 | Petitioner's Objections to Patent Owner's Evidence Submitted After Institution of a Trial under 37 C.F.R. § 42.64(b)(1) as served on Patent Owner on May 11, 2015 |
| 1015 | Affidavit of Douglas L. Sawyer in support of Petitioner Norman International, Inc.'s Unopposed Motion for Pro Hac Vice Admission under 37 C.F.R. §42.10(c) |

Norman International, Inc. ("Petitioner") respectfully requests that the Board recognize Douglas L. Sawyer as counsel *pro hac vice* in this proceeding. Petitioner seeks the counsel of Mr. Sawyer due to his familiarity with the substantive and technical issues involved in this proceeding.

1. Time For Filing

This Unopposed Motion for *Pro Hac Vice* Admission is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on August 12, 2014 (Paper 5), and is being filed no sooner than twenty one (21) days after service of the petition.

2. Statement of Facts

The following statement of facts shows that there is good cause for the Board to recognize Mr. Sawyer *pro hac vice*.

Mr. Sawyer is a patent litigation attorney with more than thirteen years of experience representing clients in cases involving computer hardware and software, sporting equipment, semiconductors, RFID, printers, hand held computers and other mobile devices. (Affidavit of Douglas L. Sawyer ("Sawyer Affidavit"), ¶ 8 in Exhibit 1015.)

Mr. Sawyer regularly litigates patent cases before the United States Court of Appeals for the Federal Circuit and various federal district courts. (*Id.*) He has

experience in jury trials, Markman hearings, and Federal Circuit oral arguments in patent infringement litigation matters. (*Id.*) Mr. Sawyer's biography is attached to the Sawyer Affidavit as Exhibit A.

U.S. Patent No. 6,968,884 is currently asserted against Petitioner in a co-pending litigation, *Hunter Douglas, Inc. et al. v. Nien Made Enterprise Co., Ltd. et al.*, Case No. 1:13-cv-01412-MSK-MJW filed in the U.S. District Court for the District of Colorado on May 31, 2013 ("the co-pending litigation"). (*Id.* at ¶ 9.)

Mr. Sawyer is lead counsel for Petitioner in the co-pending litigation and, as such, oversees and handles all phases of the litigation from discovery through trial. (*Id.* at ¶ 10.) Mr. Sawyer is familiar with the technologies, specific designs and issued claims in Patent No. 6,968,884, has reviewed prior art references and claims charts for invalidity contentions, and was heavily involved in forming claim construction positions and drafting claim construction briefs. (*Id.*) Mr. Sawyer is also familiar with the prior art references cited in the PTAB Case No. IPR2014-01175 and the associated invalidity grounds before the PTAB. (*Id.*)

Petitioner has invested significant financial resources in the related matter in which Mr. Sawyer serves as lead counsel. Petitioner therefore respectfully submits that there is good cause for the Board to recognize Mr. Sawyer as counsel *pro hac vice* during this proceeding.

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