

Filed on behalf of Innovative Display Technologies LLC.

By: Justin B. Kimble (jkimble@bcpc-law.com)
Jeffrey R. Bragalone (jbragalone@bcpc-law.com)
Bragalone Conroy P.C.
2200 Ross Ave.
Suite 4500 – West
Dallas, TX 75201
Tel: 214.785.6670
Fax: 214.786.6680

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 IPR2014-01362
U.S. Patent No. 7,384,177

***PRO HAC VICE* MOTION TO ADMIT ATTORNEY JEFFREY R.
BRAGALONE 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 Jeffrey R. Bragalone to appear *pro hac vice* on its behalf before the Patent Trial and Appeal Board in IPR2014-01362. This motion follows the guidelines set forth in IPR2013-00639, Paper 7, entered October 15, 2013.

A. Lead Counsel is a Registered Practitioner.

IDT has already designated a registered practitioner, Justin B. Kimble (reg. no. 58,591) as lead counsel. IDT intends to designate Jeffrey R. Bragalone as its back-up counsel in the event this motion is granted.

B. There is Good Cause for the Board to Recognize Jeffrey R. Bragalone *pro hac vice* during this proceeding.

1. Mr. Bragalone is an experienced litigator.

Jeffrey R. Bragalone is an experienced litigator with over 26 years of experience. He has argued three patent cases before the Federal Circuit: (1) *Greenliant Sys., Inc. v. Xicor LLC*, 692 F.3d 1261 (Fed. Cir. 2012); (2) *United Access Technologies, LLC v. Earthlink, Inc.*, 432 F. App’x 976 (Fed. Cir. 2011); (3) *Board of Regents of the University of Texas System v. BenQ America Corp.*, 533 F.3d 1362 (Fed. Cir. 2008); and appeared on brief in a fourth case: (4) *Tegic Commc’ns Corp. v. Board of Regents of the University of Texas System*, 458 F.3d 1335 (Fed. Cir. 2006). In addition to his argument before the Federal Circuit, Mr. Bragalone has

represented numerous clients in patent litigation and general litigation as lead counsel in district courts and state courts across the United States. He is presently representing the defendant in *Texas Advanced Optoelectronic Solutions, Inc. v. Intersil Corp.*, No. 4:08-cv-451 (E.D. Tex., filed Nov. 25, 2008), which is set for trial in February 2015. Mr. Bragalone also currently represents plaintiffs in the patent litigation styled *HSM Portfolio LLC et al. v. Fujitsu Ltd. et.*, No. 1:11-cv-00770 (D. Del., filed September 1, 2011).

2. Mr. Bragalone has an established familiarity with the subject matter at issue in the proceeding.

Mr. Bragalone currently represents IDT in its assertion of U.S. Patent No. 7,384,177 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. Acer Inc. et al.*, No. 2:13-cv-00522 (E.D. Tex., filed June 28, 2013); *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 lead counsel in those actions, Mr. Bragalone has familiarized himself with the subject matter at issue in this proceeding, *i.e.*, light emitting panel assemblies. During the course of those lawsuits, Mr. Bragalone has developed invalidity defenses for the patent-at-issue in this petition as well as its related patents, all of which concern light emitting panel assemblies. Furthermore, in those lawsuits Mr. Bragalone 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 the lead counsel in those litigations, Mr. Bragalone 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.

C. Mr. Bragalone has Submitted Herewith a Declaration¹ Attesting the Following Facts.

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

¹ See Declaration of Jeffrey R. Bragalone, attached hereto as Exhibit 2002.

6. Mr. Bragalone 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).
7. During the past three years, Mr. Bragalone has applied to appear *pro hac vice* before the PTAB in eighteen other proceedings, three of which have been granted and the rest remain pending. Seven of the *pro hac vice* motions involve the same or related parties as this proceeding and also involve the same or similar subject matter:

- i. IPR2014-01092 (*pending*);
- ii. IPR2014-01094 (*pending*);
- iii. IPR2014-01095 (*pending*);
- iv. IPR2014-00096 (*pending*);
- v. IPR2014-01097 (*pending*);
- vi. IPR2014-01357 (*pending*); and
- vii. IPR2014-01359 (*pending*).

The remaining eleven *pro hac vice* motions involve eleven other IPRs all unrelated to this petition:

- viii. CBM2014-00166 (***granted***);
- ix. IPR2014-00785 (*pending*);
- x. IPR2014-00810 (*pending*);

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.