

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONIC CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA, INC. &  
SAMSUNG TELECOMMUNICATIONS AMERICA, LLC.  
Petitioner,

v.

STRAIGHT PATH IP GROUP, INC.  
Patent Owner

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Case IPR2014-01367  
Patent 6,009,469

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**UNOPPOSED MOTION FOR PRO HAC VICE ADMISSION OF  
MICHAEL NEWMAN UNDER 37 C.F.R § 42.10**

## **I. Relief Requested**

Pursuant to 37 C.F.R. § 42.10(c) and the Board’s “Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response,” entered September 9, 2014 (Paper No. 3), which authorized the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Patent Owner requests that the Board admit Michael C. Newman *pro hac vice* in this proceeding.

## **II. Statement of Facts**

Pursuant to 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. For example, where the 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 showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding. 37 C.F.R. § 42.10(c).

The facts, supported by the attached Declaration of Michael C. Newman in Support of Patent Owner’s Motion for Admission *Pro Hac Vice* (“Newman Decl.”; Exhibit 2009), establish good cause to admit Mr. Newman *pro hac vice* in this proceeding.

Lead counsel William A. Meunier is a registered practitioner and is

experienced in proceedings before the USPTO. Backup counsel Matthew D.

Durell is also a registered practitioner and is experienced in proceedings before the USPTO.

Mr. Newman is an experienced litigating attorney. He has been a patent litigation attorney for nine years, and is currently a Senior Associate at Mintz Levin Cohn Ferris Glovsky and Popeo PC. (Newman Decl. at ¶ 1.) Mr. Newman is a member in good standing of the Massachusetts State Bar, with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations, and is admitted to practice in the United States District Courts for the District of Massachusetts, the United States Court of Appeals for the Federal Circuit. (*Id.* at ¶¶ 2-5.) His mailing address is at One Financial Center, Boston MA, 02111. His email address is mcnewman@mintz.com, and his direct dial is 617-348-1626.

Mr. Newman is particularly familiar with the subject matter at issue in this proceeding based on his work as trial counsel in a number of cases involving U.S. Patent No. 6,009,469. He has been counsel to Patent Owner with respect to U.S. Patent No. 6,009,469 in the following matters: *Certain Point-to-Point Network Communication Devices and Products Containing Same*, Inv. No. 337-TA-892 (U.S.I.T.C., filed Aug. 1, 2013); *Straight Path IP Grp., Inc. v. LG Elecs. Inc.*, *VIZIO, Inc., Toshiba Corp* (E.D. Va., consolidated case No. 1:13-cv-00934-AJT-

IDD); *Straight Path IP Grp., Inc. v. Samsung Electronics, Blackberry, ZTE, and Huawei Technologies* (E.D. Tex., consolidated Case No. 13-cv-604) *Straight Path IP Grp. Inc. v. Straight and Netflix, Inc.* (E.D. Tex. Case No. 14-cv-405); *Amazon.com, Inc., v. Straight Path IP Grp., Inc.* (N.D. Cal. Case No. 5:14-cv-4561-EJD). (Newman Decl. at 10.) Mr. Newman was the lead associate in each of these cases, and was involved in most all aspects of the litigations, including the issue of validity of U.S. Patent No. 6,009,469. (*Id.*)

Mr. Newman has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of the 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 to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (*Id.* at ¶ 7.)

For these reasons Patent Owner respectfully requests that the Board admit Michael C. Newman *pro hac vice* in this proceeding.

Dated: April 16, 2015

/William Meunier/

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**CERTIFICATE OF SERVICE**

I certify that a copy of Patent Owner's Unopposed Motion for Pro Hac Vice Admission of Michael Newman Under 37 C.F.R. § 42.10 and supporting Exhibits 2009 and 2010 are being served by electronic mail and First Class Mail, prepaid, on the following counsel for the Petitioner:

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Dated: April 16, 2015

/Matthew D. Durell/

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