

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

STRAIGHT PATH IP GROUP, INC.
Patent Owner

INTER PARTES REVIEW OF U.S. PATENT NO. 6,009,469

Case IPR2014-01367 (Patent 6,009,469 C1)

**MOTION FOR *PRO HAC VICE* ADMISSION
UNDER 37 C.F.R. § 42.10**

Mail Stop Patent Board
Patent Trial and Appeal Board
P.O. Box 1450
Alexandria, VA 22313-1450

The Petitioner respectfully requests that the Board recognize Mr. Jonathan Hicks as counsel *pro hac vice* during this proceeding.

1. Time For Filing

This Motion for *Pro Hac Vice* Admission is being filed no sooner than twenty one (21) days after service of the petition as required by the Order Authorizing Motion for *Pro Hac Vice* entered September 9, 2014.

2. Statement of Facts

As required by the order authorizing this Motion for *Pro Hac Vice Admission* (Paper No. 3), the following statement of facts shows that there is good cause for the Board to recognize Mr. Hicks *pro hac vice*.

Mr. Hicks is an experienced litigation attorney, and has been involved in numerous litigations involving patent infringement in District Courts across the country. He has experience in jury and bench trials, *Markman* hearings, and Federal Circuit oral arguments in patent infringement litigation matters.

U.S. Patent No. 6,009,469 is currently asserted against Patent Owner Optical Devices LLC in pending litigation, Case No. 6:13-cv-00606 (E.D.Tx.) (the “district court litigation”). The district court litigation is stayed pending the outcome of this proceeding.

Mr. Hicks is counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC

in the district court litigation and, as such, has an established familiarity with the subject matter at issue in this proceeding. In the district court litigation, Mr. Hicks reviewed prior art references and claims charts for invalidity contentions, and was heavily involved in forming claim construction positions, all of which are relied upon in the petition requesting *inter partes* review of the '469 Patent. Petitioner has expended significant financial resources in the district court litigation with Mr. Hicks as counsel, and Petitioner wishes to continue using Mr. Hicks as counsel in this proceeding.

Further, counsel for Patent Owner does not oppose Mr. Hicks appearing *pro hac vice* during this proceeding. Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Hicks as counsel *pro hac vice* during this proceeding.

3. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Mr. Jonathan Hicks as required by the Order Authorizing Motion for *Pro Hac Vice* entered September 9, 2014.

Dated: May 22, 2015

Respectfully Submitted,

/s/ *Brian Erickson*

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CERTIFICATE OF SERVICE

The undersigned certifies service of a copy of this document on the Patent Owner's counsel of record pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(b) by electronic mail to StraightPathIPRs@mintz.com.

Dated: May 22, 2015

/s/ Brian Erickson
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