

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUALCOMM, INC.,
Petitioner,

v.

BANDSPEED, INC.,
Patent Owner.

Case IPR2015-00315¹
Patent 7,477,624

**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION
UNDER 37 CFR §42.10(c)**

¹ IPR2015-01580 has been joined with IPR2015-00315

Patent Owner Bandspeed, Inc. respectfully requests that the Board recognize Adam G. Price, Esq., as counsel *pro hac vice* pursuant to 37 CFR §42.10(c).

I. STATEMENT OF FACTS

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

In accordance with 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. Section 42.10(c) indicates that, “where lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” Patent Owner’s lead counsel is a registered practitioner.

Furthermore, Mr. Price is a highly experienced patent litigation attorney, who has been involved in numerous patent litigations before the federal district courts. He has experience litigating complex electrical and software related patents, such as the patent at issue in the instant proceeding.

Mr. Price has substantial experience with U.S. Patent No. 7,477,624 (“the ‘624 patent”). Mr. Price represents Bandspeed in *Bandspeed v. Qualcomm, Inc., et al.*, 1:14-cv-00436 (W.D. Tex.) in which the ‘624 Patent has been asserted. As a

result, Mr. Price has established familiarity with the subject matter at issue in this proceeding, including substantive knowledge of the '624 patent, its prosecution history, and related matters.

Counsel for Petitioner does not oppose Mr. Price appearing *pro hac vice* during this proceeding.

II. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Patent Owner's Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Adam G. Price, with accompanying biography, attached hereto as **Exhibit 2003**.

Respectfully submitted,

/Gregory S. Donahue/

Dated: April 5, 2016

Gregory S. Donahue
Reg. No. 47,531
DiNovo Price Ellwanger & Hardy LLP
7000 North MoPac Expressway
Suite 350
Austin, Texas 78731
Telephone: (512) 539-2625
Facsimile: (512) 539-2627

Lead Counsel for Patent Owner
Bandspeed, Inc.

David O. Simmons
Reg. No. 43,124
Patent Agent
P.O. Box 26584
Austin, Texas 78755
Telephone: (512) 345-9767
Facsimile: (512) 345-0021

Back-Up Counsel for Patent Owner
Bandspeed, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies service pursuant to 37 C.F.R. §42.6(e) of a copy of the foregoing PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION by electronic mail on April 5, 2016 upon counsel of record for Petitioner as detailed below:

NORTON ROSE FULBRIGHT US LLP
2200 Ross Avenue, Suite 3600
Dallas, Texas 75201-7932
nate.rees@nortonrosefulbright.com
richard.zembek@nortonrosefulbright.com
eric.hall@nortonrosefulbright.com
ross.viguet@nortonrosefulbright.com

/s/ Gregory S. Donahue
Gregory S. Donahue