

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MAKO SURGICAL CORP.,
Petitioner

v.

BLUE BELT TECHNOLOGIES, INC.,
Patent Owner

Case IPR2015-00630
Patent No. 6,205,411 B1

**PETITIONER MAKO SURGICAL CORP.'S MOTION FOR ADMISSION
PRO HAC VICE OF WESLEY E. OVERSON**

Mail Stop **Patent Board**
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. § 42.10(c), Petitioner Mako Surgical Corp. requests that the Patent Trial and Appeal Board (the “Board”) admit Wesley E. Overson *pro hac vice* as backup lead counsel in this proceeding, IPR2015-00630. This motion is accompanied by a declaration of Mr. Overson in support of the motion for admission *pro hac vice*. (“Overson Decl.”).

II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding

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 is 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* by counsel who is not a registered practitioner 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.” The facts here establish good cause for the Board to recognize Wes Overson *pro hac vice* in this proceeding. *See* Overson Decl. ¶¶ 1-9.

Lead counsel, Matthew I. Kreeger, is a registered practitioner. Counsel Wesley E. Overson is an experienced litigator and has an established familiarity

with the patent at issue in the proceeding, the technology, the relevant prior art, and the legal and factual arguments. Mr. Overson has kept up with the developments in this proceeding. Mr. Overson is the lead counsel in the related *Mako Surgical Corp. et al. v. Blue Belt Technologies Inc.*, No. 0:14-cv-61263-MGC (S.D. Fla.) litigation which involves the same patent at issue in this proceeding and is currently stayed pending the outcome of IPR proceedings. *See* Overson Decl. ¶ 8.

Patent Owner has informed Petitioner that it does not oppose the *pro hac vice* request.

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Wesley E. Overson *pro hac vice* in this proceeding as backup lead counsel.

Dated: January 19, 2016

Respectfully submitted,

By: /s/ **Matthew I. Kreeger**

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Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the above captioned PETITIONER MAKO SURGICAL CORP.'S MOTION FOR ADMISSION PRO HAC VICE OF WESLEY E. OVERSON was served as of the below date via electronic mail by agreement on the Petitioner at the following correspondence address:

Brian M. Buroker
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Dated: January 19, 2016

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