

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZHONGSHAN BROAD OCEAN MOTOR CO., LTD.,
Petitioner,

v.

NIDEC MOTOR CORPORATION,
Patent Owner.

Case IPR2015-00762
Patent 7,626,349

**ZHONGSHAN BROAD OCEAN MOTOR CO., LTD. ET AL.'S
MOTION FOR *PRO HAC VICE* ADMISSION OF CHARLES S. BAKER**

I. RELIEF REQUESTED

Pursuant to the Board's authorization for the parties to file motions for *pro hac vice* admission under 37 CFR §42.10(c) in the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response dated March 10, 2015 ("the Notice"), Petitioner Zhongshan Broad Ocean Motor Co., Ltd., Broad Ocean Motor LLC, and Broad Ocean Technologies, LLC requests that the Board admit Charles S. Baker *pro hac vice* in this proceeding. As required by the Notice, the following motion for *pro hac vice* admission is filed in accordance with "Order -- Authorizing Motion for *Pro Hac Vice* Admission" in Case No. IPR2013-00639 ("the Representative Order").

Pursuant to the Representative Order, this motion is being filed no sooner than 21 days after the service of the petition.

II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL *PRO HAC VICE* DURING THE PROCEEDING

In accordance with 37 CFR §42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon 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.” The facts detailed herein establish good cause for the Board to recognize Charles S. Baker *pro hac vice* during this proceeding.

1. Lead counsel, Steven F. Meyer, is a registered practitioner (Reg. No. 35,613).

2. Backup counsel, Charles S. Baker, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Exhibit 1011 is the Declaration of Charles S. Baker in Support of this Motion for Admission *Pro Hac Vice* of Charles S. Baker (“Baker Declaration”). In his declaration, Mr. Baker attests, *inter alia*, that: “I am a member in good standing of the Bar of the State of Texas and am admitted to practice before the United States Supreme Court, United States Courts of Appeals for the Fifth, Ninth and Federal Circuits, the United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas, United States Tax Court and United States Court of Federal Claims. I am a member of the State Bar of Texas, as well as the American, Federal, Houston, Travis County and Fifth Federal Circuit Bar Associations, American Intellectual Property Law Association, International Trademark Association, International Trade Commission Trial Lawyers Association, Houston Intellectual Property Law Association and Defense Counsel of America. I have

been in private practice since November 1985 and litigating patent cases since September 1993.” Ex. 1011, Baker Declaration at ¶¶ 2-4.

3. Mr. Baker also attests that: “I am familiar with the subject matter at issue in the proceeding. I am lead counsel in the following proceeding, which is a related matter and involves the same patent at issue in this proceeding: *Nidec Motor Corporation v. Broad Ocean Motor LLC et al.*, Civil Action No. 4:13-CV-01895-JCH (E. D. Mo.) (filed September 25, 2013). Ex. 1011, Baker Declaration at ¶10. Additionally, Mr. Baker attests that “[a]s part of my role in the above related proceeding I have extensively reviewed and analyzed the patent at issue as well as the presently cited art.” Ex. 1011, Baker Declaration at ¶ 12.

4. In his Declaration, Mr. Baker also attests to each of the listed items required by 37 CFR § 42.10(c). See Ex. 1011, Baker Declaration at ¶¶ 1-11.

III. CONCLUSION

For the foregoing reasons, Petitioner Zhongshan Broad Ocean Motor Co., Ltd., Broad Ocean Motor LLC, and Broad Ocean Technologies, LLC requests that the Board admit Charles S. Baker *pro hac vice* in this proceeding.

Respectfully submitted,

Dated: March 16, 2015

/ Steven F. Meyer /

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