

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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JOHNSON MATTHEY INC., and JOHNSON MATTHEY PLC,  
Petitioners

v.

BASF CORPORATION,  
Patent Owner

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Case IPR2015-01266  
Patent 9,039,982

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**PETITIONER JOHNSON MATTHEY, INC.'S  
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION  
UNDER 37 C.F.R. § 42.10(c)**

Pursuant to 37 C.F.R. § 42.10(c), the Petitioner, Johnson Matthey, Inc. (“Petitioner”) respectfully requests that the Board recognize Douglas E. McCann as counsel *pro hac vice* in this proceeding. Petitioner seeks the counsel of Mr. McCann due to his experience in representing Johnson Matthey, Inc. in District Court litigation involving patents concerning emission control catalysts. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on June 8, 2015.

Counsel for Patent Owner has indicated that Patent Owner will not oppose this *pro hac vice* motion.

#### **Statement of Facts**

Mr. McCann is a litigation attorney with more than 16 years of experience. Mr. McCann represents clients in cases involving emission control catalysts, pharmaceuticals, medical devices, computer software, and electronics. Mr. McCann regularly litigates patent cases before the various federal district courts and the International Trade Commission. Through his practice in such cases, Mr. McCann has gained substantial experience in jury trials, bench trials, discovery, Markman hearings, and appeals. Mr. McCann began his legal career considering patent cases as a clerk for the Honorable Joseph J. Farnan, Jr. on the United States District Court for the District of Delaware from 1999-2000. Petitioner provides Appendix A, as evidence, Mr. McCann’s biography.

Mr. McCann also has particular experience and familiarity with the substantive and technical issues involved in this *inter partes* review proceeding. Mr. McCann is lead counsel for Johnson Matthey in litigation over emissions control technology, specifically the control of NOx through selective catalytic reduction and ammonia oxidation catalysts, in the District of Delaware. Moreover, through his representation in the related matter, Johnson Matthey has developed a particular relationship with Mr. McCann such that Johnson Matthey desires to continue the relationship with Mr. McCann for the purpose of this proceeding.

**1. Affidavit of Individual Seeking to Appear**

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Douglas E. McCann as required by the Order Authorizing Motion for *Pro Hac Vice* mailed June 8, 2015.

Accordingly, Johnson Matthey, Inc. submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Douglas E. McCann as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Date: February 3, 2016

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/Gwilym J. O. Attwell, Reg. No. 45,449/  
Gwilym J. O. Attwell, Reg. No. 45,449  
Counsel for Petitioner

**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on February 3, 2016, a complete and entire copy of this Petitioner's Unopposed Motion for *Pro Hac Vice* Admission of Douglas E. McCann was provided via email to the Patent Owner by serving the correspondence email addresses of record as follows:

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/Edward G. Faeth/

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