

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JOHNSON MATTHEY INC., and JOHNSON MATTHEY PLC,
Petitioners,

v.

BASF CORPORATION,
Patent Owner.

Case No. IPR2015-01266
Patent No.9,039,982

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

Patent Owner BASF Corporation (“Patent Owner”) files this motion for *pro hac vice* admission under 37 C.F.R. § 42.10(c), as authorized in the Notice of Filing Date Accorded, Paper No. 4. The Board requires that such motions be filed in accordance with the “Order – Authorizing Motion for Pro Hac Vice Admission” in Case IPR2013-00639, Paper 7 (“Order”).

Patent Owner respectfully requests that the Board recognize Mr. Derek C. Walter as counsel *pro hac vice* during this proceeding.

1. Time for Filing

This motion for *pro hac vice* admission is filed no sooner than twenty-one (21) days after service of the petition, as required by the Order.

2. Statement of Facts

The following statement of fact shows that there is good cause for the Board to recognize Mr. Walter *pro hac vice*.

Mr. Walter is an experienced litigation attorney, and has been involved in numerous litigations involving patent infringement in District Courts across the country. Mr. Walter has experience in jury and bench trials, and *inter partes* review proceedings. Mr. Walter's biography is attached hereto as Ex. BASF-2013.

Further, counsel for Petitioner does not oppose Mr. Walter appearing *pro hac vice* during this proceeding.

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Therefore, Patent Owner respectfully submits that there is good cause for the Board to recognize Mr. Walter 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 the declaration of Mr. Derek C. Walter, as required by authorization of the Board.

Dated: December 10, 2015

Respectfully submitted,

/ Brian E. Ferguson /
Brian E. Ferguson (Reg. 36,801)
Anish R. Desai (Reg. 73,760)
Counsel for Patent Owner
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**DECLARATION OF MR. DEREK C. WALTER IN SUPPORT OF
MOTION FOR *PRO HAC VICE* ADMISSION**

I, Derek C. Walter, am over eighteen years of age and would be competent to testify as to the matters set forth herein if called upon to do so.

1. I am an attorney in the law firm of Weil, Gotshal & Manges LLP. I have over 8 years of experience as a patent litigator and have represented clients in numerous patent litigation cases in various United States District Courts, the Court of Appeals for the Federal Circuit, and the Patent Trial and Appeal Board. I also served as a law clerk to the Honorable Joseph J. Farnan Jr. in the United States District Court for the District of Delaware.

2. My educational and professional backgrounds make me familiar with the subject matter at hand. *See* Exhibit 2013. I am comfortable and experienced with technically and legally complex matters such as will be present in this proceeding.

3. I am a member in good standing of the state bar of California, as well as the U.S. Court of Appeals for the Federal Circuit.

4. I have not been suspended or disbarred from practice before any court or administrative body.

5. I have never had an application for admission to practice before any court or administrative body denied.

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6. No sanction or contempt citation has been imposed against me by any court or administrative body.

7. During the past 3 years I have applied to appear pro hac vice before the Office in the following proceedings: IPR2013-00517, 2014-01093, IPR2015-01156, IPR2015-01157, IPR2015-01158, IPR2015-01162, IPR2015-01163, IPR2015-01558, and IPR2015-01560.

8. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.

9. I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

I declare under penalty of perjury that the foregoing Declaration is true and correct.

Date: December 10, 2015

/Derek C. Walter /

Derek C. Walter
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Counsel for Patent Owner

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