

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THE BOEING COMPANY,
Petitioner

v.

SEYMOUR LEVINE,
Patent Owner

CASE: IPR2015-01341
Patent No. RE39,618

**PETITIONER THE BOEING COMPANY'S
MOTION FOR PETER E. GRATZINGER TO
APPEAR *PRO HAC VICE* UNDER
37 C.F.R. § 42.10**

Pursuant to 37 C.F.R. § 42.10(c), Petitioner The Boeing Company (“Boeing”) moves the Board to authorize Peter E. Gratzinger to appear *pro hac vice* in the above-captioned *inter partes* review of U.S. Patent No. RE39,618. Boeing seeks Mr. Gratzinger’s assistance because of his experience and knowledge regarding the substantive and technical issues involved in this proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper 5) and provides the information required by the Board’s “Order, Authorizing Motion for Pro Hac Vice Admission, 37 C.F.R. §42.10” in Case IPR2013-00639, Paper 7 (“*Pro Hac Order*”).

Pursuant to the *Pro Hac Order*, Part 2(a), Boeing states that good cause exists for Mr. Gratzinger to appear *pro hac vice* in connection with the above-captioned *inter partes* review because: (1) Mr. Gratzinger is Of Counsel at the law firm Munger, Tolles & Olson LLP and a member in good standing of The State Bar of California; (2) Mr. Gratzinger is an experienced patent litigator with over twelve years of litigation experience, and has litigated numerous patent cases in federal district courts; (4) Mr. Gratzinger is especially familiar with the subject matter at issue because he represents the Petitioner as counsel of record in the related district court proceeding, *Seymour Levine v. The Boeing Company*, Case No. 2:14-cv-1991-RSL (W.D. Wash.), concerning U.S. Patent No. RE39,618; (5) Petitioner has a need to have its counsel in the co-pending litigation involved in this proceeding; and (6) Ryan J. McBrayer, lead counsel for Petitioner with respect to the *inter partes* review, is a partner at Perkins Coie LLP and a registered practitioner before the United States Patent and Trademark Office (Reg. No. 54,299).

The information required by the *Pro Hac Order*, Part 2(b)(i)-(viii), can be

found in the accompanying Declaration of Peter E. Gratzinger in support of this Motion.

The undersigned attorney welcomes a telephone call should the Office have any requests or questions.

DATED: January 12, 2016

/Ryan J. McBrayer/
Ryan J. McBrayer (Reg. No. 54,299)
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101

Attorneys for Petitioner,
The Boeing Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above-captioned **PETITIONER**
THE BOEING COMPANY'S MOTION AND DECLARATION FOR *PRO*
***HAC VICE* ADMISSION**, was served in its entirety on January 12, 2016, upon the
following parties via email, pursuant to the parties' agreement concerning service:

Bruce R. Zisser
Amar L. Thakur
Quinn Emanuel Urquhart & Sullivan, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017
brucezisser@quinnemanuel.com
amarthakur@quinnemanuel.com
Attorneys for Patent Owner Seymour Levine

Dated: January 12, 2016

/Ryan J. McBrayer/
Ryan J. McBrayer (Reg. No. 54,299)
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101