

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 EDWARD (TED) G. DANE 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 Edward (Ted) G. Dane to appear *pro hac vice* in the above-captioned *inter partes* review of U.S. Patent No. RE39,618. Boeing seeks Mr. Dane’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. Dane to appear *pro hac vice* in connection with the above-captioned *inter partes* review because: (1) Mr. Dane is a partner at the law firm Munger, Tolles & Olson LLP and a member in good standing of The State Bar of California; (2) Mr. Dane is an experienced patent litigator with over twenty years of litigation experience, and has litigated numerous patent cases in federal district courts and before the United States Court of Appeals for the Federal Circuit; (4) Mr. Dane is especially familiar with the subject matter at issue because he represents the Petitioner as lead counsel 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; (6) Mr. Dane has previously been granted *pro hac vice* status in *Alien Technology Corporation v. Intermec., Inc. et al.*, Appeal 2012-005401, Reexamination Control No. 95/001,265 (B.P.A.I. 2012); and (7) 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 Edward G. Dane 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)
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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:

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