

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HYDRITE CHEMICAL CO.,  
Petitioner,

v.

SOLENIS TECHNOLOGIES, L.P.,  
Patent Owner.

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Case IPR2015-01592  
Patent 8,962,059

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HYDRITE CHEMICAL CO.'S MOTION FOR *PRO HAC VICE* ADMISSION  
OF CHRISTOPHER J. FAHY UNDER 37 C.F.R. § 42.10

*Filed via PRPS*

Dear Board:

Hydrite Chemical Co. (“Petitioner”), respectfully requests that the Patent Trial and Appeal Board (“Board”) recognize Christopher J. Fahy, Esq. as counsel *pro hac vice* during this proceeding.<sup>1</sup>

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<sup>1</sup> A corresponding Motion for *Pro Hac Vice* Admission is being concurrently filed in co-pending *Inter Partes* Review Case No. IPR2015-01586.

## I. BACKGROUND

Petitioner's Motion for *Pro Hac Vice* Admission is being filed pursuant to and in compliance with the Notice of Filing Date Accorded to Petition and Time For Filing Patent Owner Preliminary Response (Paper No. 3) ("Notice"). The Notice authorizes the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Further to the Notice, such motions shall be filed in accordance with the "Order -- Authorizing Motion for *Pro Hac Vice* Admission" in Case IPR2013-00639 ("Order").

## II. TIME OF FILING

This Motion for *Pro Hac Vice* Admission is being filed no sooner than twenty-one (21) days after the service of the Petition for *Inter Partes* Review of U.S. Patent No. 8,962,059 on July 14, 2015 ("Petition"), as required by the Order.

## III. STATEMENT OF FACTS

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Fahy *pro hac vice*.

Mr. Fahy is an experienced intellectual property litigation attorney, and has been involved in numerous complex litigations in federal courts. His experience includes representing a wide range of clients in complex intellectual property litigation.

Mr. Fahy has worked extensively with lead and back-up counsel in preparing the Petition. As such, he has reviewed and is familiar with (i) U.S. Patent No. 8,962,059, the patent at issue in this matter, (ii) the prior art relied upon in the Petition, (iii) the legal and factual arguments made in the Petition, and (iv) all prior rulings and decisions by the Board in this matter. Accordingly, he has established familiarity with the subject matter at issue in this proceeding and the conduct of the proceeding to date.

Lastly, this Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Mr. Christopher J. Fahy as required by the Order.

In light of the foregoing, Petitioner respectfully submits there is good cause for the Board to recognize Mr. Fahy as counsel *pro hac vice* during this proceeding.

Date: February 10, 2016

Respectfully submitted,

/Joel A. Austin/

Joel A. Austin  
Reg. No. 59,712  
Attorney for Petitioner  
Joel.Austin@Quarles.com  
QUARLES & BRADY, LLP  
411 East Wisconsin Avenue  
Milwaukee, WI 53202-4497  
Tel: (414) 277-5617  
Fax: (414) 978-8819

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DECLARATION OF CHRISTOPHER J. FAHY IN SUPPORT OF  
MOTION FOR *PRO HAC VICE* ADMISSION

*Filed via PRPS*

I, Christopher J. Fahy, being duly sworn and upon oath, hereby attest to the following:

1. I am a member in good standing of the Bar of the State of Illinois, as well as the State of Wisconsin, U.S. District Courts for the Northern District of Illinois, Eastern and Western Districts of Wisconsin, Eastern District of Michigan, and the U.S. Court of Appeals for the Federal and Seventh Circuits.

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

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

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

5. 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.

6. 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).

7. I have applied and appeared *pro hac vice* before the Office in IPR2013-00285 and IPR2013-00287. I have applied to appear *pro hac vice* before the Office in IPR2014-00187 and IPR2014-00190, in which adverse judgments were entered prior to a decision on my admissions. I have applied to appear *pro hac vice* before the Office in Appeal No. 2016-002780 (*Inter Partes* Reexamination Control No. 95/002,006) in which my admission is pending. I have not applied to appear *pro hac vice* before the Office in any other proceeding in the last three (3) years.

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