

Filed on behalf of Samsung Electronics Co., Ltd.
By: Heath Briggs, Reg. No. 54,919
GREENBERG TRAURIG, LLP
1200 Denver, CO 80202
BriggsH@gtlaw.com
(303) 572-6500

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Samsung Electronics Co., Ltd.
Petitioner,

v.

Mobile Telecommunications Technologies, LLC
Patent Owner

Inter Partes Review No. IPR2015-01726
Patent No. 5,659,891

**SAMSUNG ELECTRONICS CO., LTD.'S MOTION FOR *PRO HAC VICE*
ADMISSION OF RONALD J. PABIS UNDER 37 C.F.R. § 42.10(c)**

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I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), and as authorized in the Board’s Notice of Filing Date in this proceeding (Paper 4, p. 2) (“Notice”), Petitioner, Samsung Electronics Co., Ltd. (“Samsung”) respectfully requests the *pro hac vice* admission of Ronald Pabis in this proceeding.

II. GOVERNING LAW, RULES, AND PRECEDENT

Section 42.10(c) states as follows:

The Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

The Notice requires that any motion for *pro hac vice* admission under 37 C.F.R. § 42.10(c) must be filed in accordance with the “Order – Authorizing Motion for *Pro Hac Vice Admission*” entered in Case IPR2013-00010 (MPT) (“Motorola Order”). *See* Notice, p. 2.

The Motorola Order requires that such motions (1) “[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding”; (2) be filed no sooner than twenty-one (21) days after service of the petition; and (3) “[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following:

- i. Membership in good standing of the Bar of at least one State or the District of Columbia;
- ii. No suspensions or disbarments from practice before any court or administrative body;
- iii. No application for admission to practice before any court or administrative body ever denied;
- iv. No sanctions or contempt citations imposed by any court or administrative body;
- v. The individual seeking to appear has 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 the C.F.R.;
- vi. The individual will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);
- vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and
- viii. Familiarity with the subject at issue in the proceeding.

III. STATEMENT OF FACTS

Based on the following facts, and supported by the Affidavit of Mr. Pabis (Ex. 1016) submitted herewith, Petitioner requests the *pro hac vice* admission of Ronald Pabis in this proceeding:

1. Petitioner's lead counsel, Heath Briggs, is a registered practitioner (Reg. No. 54,919).

2. Mr. Pabis is a shareholder at the law firm Greenberg Traurig, LLP. Ex. 1016 at ¶3.

3. Mr. Pabis is an experienced litigating attorney. Mr. Pabis has been a litigating attorney for more than twenty-one years. *Id.* at ¶4. Mr. Pabis has been litigating patent cases for more than fourteen years. *Id.*

4. Mr. Pabis has an established familiarity with the subject matter at issue in this proceeding. Mr. Pabis is Petitioner's co-lead trial counsel in its district court litigation (*Mobile Telecommunication Technologies, LLC v. Samsung Electronics Co., Ltd. et al.*, Case No. 2:15-cv-183 (E.D. Tex.)), which involves the same patent at issue in this proceeding. *Id.* at ¶11. As counsel for Petitioner in that matter, Mr. Pabis has been actively involved in all aspects of Petitioner's litigation.

5. Mr. Pabis is a member in good standing in the bars of Florida, the District of Columbia, numerous U.S. District Courts, and the U.S. Court of Appeals for the Federal Circuit. *Id.* at ¶5.

6. Mr. Pabis has never been suspended or disbarred from practice before any court or administrative body. *Id.* at ¶5.

7. No application of Mr. Pabis for admission to practice before any court or administrative body has ever been denied. *Id.* at ¶6.

8. No sanctions or contempt citations have ever been imposed against Mr. Pabis by any court or administrative body. *Id.* at ¶7.

9. Mr. Pabis has 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 the C.F.R. *Id.* at ¶8.

10. Mr. Pabis understands that he will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* at ¶9.

11. Mr. Pabis is concurrently seeking *pro hac* vice admission in the Petitioner's *inter partes* challenges to U.S. Patent Nos. 5,915,210 and 5,659,891. These proceedings have been designated IPR2015-01724 and IPR2015-01725, and IPR2015-01727, respectively. Mr. Pabis has been granted *pro hac vice* admission to represent Petitioner Amkor Technology, Inc. in an unrelated matter for case IPR2013-00242 (paper 62). Otherwise, Mr. Pabis has not applied to appear *pro hac vice* in any other proceedings before the Office in the last three (3) years. *Id.* at ¶10.

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