

Filed on behalf of Innovative Display Technologies LLC
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

K.J. PRETECH CO., LTD.,
Petitioner,

v.

INNOVATIVE DISPLAY TECHNOLOGIES LLC,
Patent Owner.

Case IPR2015-01868
U.S. Patent No. 7,434,974

***PRO HAC VICE* MOTION TO ADMIT ATTORNEY
JEFFREY R. BRAGALONE PURSUANT TO 37 C.F.R. § 42.10(c)**

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450

Patent Owner Innovative Display Technologies LLC (“IDT”) hereby files this motion pursuant to 37 C.F.R. § 42.10(c) for Jeffrey R. Bragalone to appear *pro hac vice* on its behalf before the Patent Trial and Appeal Board in IPR2015-01868. This motion follows the guidelines set forth in IPR2013-00639, Paper 7, entered October 15, 2013.

This motion is filed concurrently with nearly identical motions in IPR2015-01866 and -01867, all of which are set for oral argument together on January 10, 2017.

A. Lead Counsel is a Registered Practitioner.

IDT has already designated a registered practitioner, Justin B. Kimble (reg. no. 58,591) as lead counsel, and IDT has also designated Jeffrey R. Bragalone as its back-up counsel, pending the Board granting this motion.

B. There is Good Cause for the Board to Recognize Jeffrey R. Bragalone *pro hac vice* during this proceeding.

1. Mr. Bragalone is an experienced litigator.

Jeffrey R. Bragalone is an experienced litigator with over 26 years of experience. He has argued three patent cases before the Federal Circuit: (1) *Greenliant Sys., Inc. v. Xicor LLC*, 692 F.3d 1261 (Fed. Cir. 2012); (2) *United Access Technologies, LLC v. Earthlink, Inc.*, 432 F. App’x 976 (Fed. Cir. 2011); (3) *Board of Regents of the University of Texas System v. BenQ America Corp.*, 533 F.3d 1362

(Fed. Cir. 2008); and appeared on brief in a fourth case: (4) *Tegic Commc'ns Corp. v. Board of Regents of the University of Texas System*, 458 F.3d 1335 (Fed. Cir. 2006). In addition to his argument before the Federal Circuit, Mr. Bragalone has represented numerous clients in patent litigation and general litigation as lead counsel in district courts and state courts across the United States. Mr. Bragalone also currently represents plaintiffs in the patent litigation styled *Cellular Communications Equipment LLC v. AT&T, Inc. et al.*, No. 2:15-cv-00576 (E.D. Tex.). Mr. Bragalone has also participated in several oral arguments before the PTAB, including in IPR2014-00785, IPR2014-00824, and IPR2015-00487, the last of which involved a patent from the same family as the patent in this matter.

2. Mr. Bragalone has an established familiarity with the subject matter at issue in the proceeding.

Mr. Bragalone currently represents IDT in its assertion of U.S. Patent No. 7,434,974 and its related patents in numerous cases resolved in the Eastern District of Texas and pending in the District of Delaware. *See, e.g., Delaware Display Group LLC et al. v. LG Electronics, Inc. et al.*, No. 1:13-cv-02109 (D. Del., filed Dec. 31, 2013); *see also Delaware Display Group LLC et al. v. Vizio Inc., et al.*, No. 1:13-cv-02112 (D. Del., filed Dec. 31, 2013). As lead counsel in those actions, Mr. Bragalone has familiarized himself with the subject matter at issue in this proceeding, *i.e.*, light emitting panel assemblies. During the course of those lawsuits,

Mr. Bragalone has developed invalidity defenses for the patent-at-issue in this petition as well as its related patents, all of which concern light emitting panel assemblies. Furthermore, in those lawsuits Mr. Bragalone has developed infringement allegations that assert the patent-at-issue in this petition against various light emitting panel assemblies, including those found in smart phones, tablets, laptop computers, and televisions to name a few. In his role as the lead counsel in those litigations, Mr. Bragalone has spent significant time learning the technology involved in light emitting panel assemblies such as those found in the patent-at-issue in this proceeding.

C. Mr. Bragalone has Submitted Herewith a Declaration¹ Attesting the Following Facts.

1. Mr. Bragalone is a member in good standing of the Texas State Bar.
2. Mr. Bragalone has never been subject to any suspensions or disbarments from practice before any court or administrative body.
3. None of Mr. Bragalone's applications for admission to practice before any court or administrative body has ever been denied.
4. Mr. Bragalone has never been sanctioned nor had contempt citations imposed by any court or administrative body.

¹ See Declaration of Jeffrey R. Bragalone, attached hereto as Exhibit 2010.

5. Mr. Bragalone 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 37 C.F.R.
6. Mr. Bragalone 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. During the past three years, Mr. Bragalone has applied to appear *pro hac vice* before the PTAB in twenty-five other proceedings, twenty-one of which have been granted, two of which involved IPRs that were joined with those for which my *pro hac vice* motion had been already granted, and the remainder of which remain pending. Fourteen of the *pro hac vice* motions involve the same or related patents as this proceeding and also involve the same or similar subject matter:
 - i. IPR2014-01092 (*granted*);
 - ii. IPR2014-01094 (*granted*);
 - iii. IPR2014-01095 (*granted*);
 - iv. IPR2014-01096 (*granted*);
 - v. IPR2014-01097 (*granted*);
 - vi. IPR2014-01357 (*granted*);
 - vii. IPR2014-01359 (*granted*);

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