

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

COMARCO WIRELESS TECHNOLOGIES, INC.,
Patent Owner.

Case No. IPR2015-01879
Patent No. 8,492,933

**COMARCO WIRELESS TECHNOLOGIES, INC.'S MOTION
FOR *PRO HAC VICE* ADMISSION OF CHARLES QUINN**

Mail Stop: PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10 and Patent Owner's request for Authorization to move for *Pro Hac Vice* admission filed concurrently herewith, Patent Owner, Comarco Wireless Technologies, Inc., requests that the Board admit Charles Quinn *pro hac vice* in this proceeding.

II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL PRO HAC VICE DURING THE PROCEEDING

In accordance with 37 C.F.R. § 42.10(c), 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. § 42.10(c) indicates that, "where lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding." The facts here establish good cause for the Board to recognize Charles Quinn *pro hac vice* during this proceeding.

1. Lead counsel, Ethan R. Fitzpatrick, is a registered practitioner.
2. Counsel, Charles Quinn, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion is the Declaration of Charles Quinn in Support of this Motion ("Quinn Dec."). In his declaration, Mr. Quinn attests that: "I am a member in good standing of the Bars of the States of New Jersey and New York, and am admitted to practice before the United States Court of Appeals for the Second, Third, Ninth, and Federal Circuits, the District of New Jersey, the Southern District of New York, and Eastern District of New York. I am a member of the New Jersey Intellectual Property Law Association and New York Intellectual Property Law Association. I have been in private

practice and litigating patent cases since 1983.” Quinn Dec. ¶ 2-4. Mr. Quinn also attests that: “I am lead counsel in the following proceeding, which is related to and involves the same patent at issue in this proceeding: *Comarco Wireless Technologies, Inc. v. Apple Inc.*, Case No. 8:15-cv-00145-AG (C.D. Cal.). Accordingly, I am familiar with the subject matter at issue in this *inter partes* proceeding.” Quinn Dec. ¶ 10.

3. In his declaration, Mr. Quinn also attests to each of the listed items required by 37 C.F.R. § 42.10(c). *See* Quinn Dec. ¶ 1-11.

III. CONCLUSION

For the foregoing reasons, Comarco Wireless Technologies, Inc. respectfully requests that the Board admit Charles Quinn pro hac vice in this proceeding.

Date: October 1, 2015

Respectfully submitted,

By: /Ethan R. Fitzpatrick/
Ethan R. Fitzpatrick

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on October 1, 2015, a copy of the foregoing document was served, by electronic mail, as agreed to by the parties, upon the following:

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Date: October 1, 2015

By: /Ethan R. Fitzpatrick/
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