

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and Apple Inc.,  
Petitioners,

v.

Rosetta-Wireless Corporation,  
Patent Owner.

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Case IPR 2016-00622  
Patent 7,149,511

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**PATENT OWNERS' MOTION FOR PRO HAC VICE ADMISSION  
OF DANIEL A. ZAHEER PURSUANT TO 37 C.F.R. § 42.10(c)**

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## EXHIBIT LIST

### Petitioners' Exhibits

Exhibit	Description
Ex. 1001	U.S. Patent No. 7,149,511 to Bachner et al. ("the '511 Patent")
Ex. 1002	U.S. Patent No. 7,149,511 File History
Ex. 1003	U.S. Patent No. 7,149,511 <i>Ex Parte</i> Reexamination
Ex. 1004	Declaration of Dr. Erez Zadok In Support of the Petition for <i>Inter Partes Review</i> of United States Patent No. 7,149,511
Ex. 1005	U.S. Patent No. 6,012,063 to Bodnar ("Bodnar")
Ex. 1006	Declaration of David Lobato and Exhibit A - HP Jornada 820/820e Handheld PC User's Guide ("Jornada")
Ex. 1007	Declaration of David Lobato and Exhibit B - HP CapShare 920 Portable E-Copier ("CapShare")
Ex. 1008	IEEE100 The Authoritative Dictionary of IEEE Standards Terms, 7th ed.
Ex. 1009	Declaration of Rogelio Jose
Ex. 1010	Declaration of Fred Peal
Ex. 1011	Declaration of Sharon Lee
Ex. 1012	Declaration of Christopher Butler and Exhibit A - "Earthmate™ GPS Receiver: The Smart Way to Navigate" & Exhibit D - "Earthmate™ Accessories" ("DeLorme")
Ex. 1013	Declaration of Christopher Butler and Exhibit B - "HP Jornada External Keyboard (Part HP F1275A) Impressions" to Todd Ogasawara ("Ogasawara")
Ex. 1014	Declaration of Christopher Butler and Exhibit C - "1.2.3 Representing Programs" ("Representing Programs")
Ex. 1015	Certificate of Authenticity by Amy Klenke and "Proxim Delivering Industry's Lowest Priced Commercial Frequency Hopping Wireless LAN PC Card," Business Wire (Mar. 29, 1999) ("Proxim")
Ex. 1016	U.S. Patent No. 6,446,137 to Vasudevan et al. ("Vasudevan")
Ex. 1017	U.S. Patent No. 5,805,804 to Laursen et al. ("Laursen")
Ex. 1018	U.S. Patent No. 6,052,735 to Ulrich et al. ("Ulrich")
Ex. 1019	U.S. Patent No. 5,790,551 to Chan ("Chan")
Ex. 1020	U.S. Patent Pub. 2001/0029178 to Criss et al. ("Criss")
Ex. 1021	U.S. Patent No. 6,311,058 to Wecker et al. ("Wecker")
Ex. 1022	U.S. Patent No. 5,625,673 to Grewe et al. ("Grewe")
Ex. 1023	U.S. Patent No. 6,434,403 to Ausems et al. ("Ausems")
Ex. 1024	U.S. Pub. No. 2004/0204041 to Fillebrown et al. ("Fillebrown")
Ex. 1025	U.S. Pat U.S. Patent No. 6,236,938 to Atkinson et al. ("Atkinson")
Ex. 1026	MICROSOFT COMPUTER DICTIONARY 5th Ed (2002)
Ex. 1027	U.S. Patent No. 5,297,192 ("Gerszberg")
Ex. 1028	Rosetta's Local Patent Rule 2.2 Initial Infringement Contentions, dated January 20, 2016

Ex. 1029	Declaration of Ingrid Hsieh-Yee
Ex. 1030	Windows CE Developer's Handbook by Terrence A. Goggin ("Goggin")
Ex. 1031	Essential Windows CE Application Programming to Robert Burdick ("Burdick")
Ex. 1032	Programming Microsoft Windows CE to Douglas Boling ("Boling")
Ex. 1033	U.S. Patent No. 5,978,805 to Carson ("Carson")
Ex. 1034	U.S. Patent No. 5,845,293 to Veghte et al. ("Veghte")
Ex. 1035	U.S. Patent No. 5,864,853 to Kimura et al. ("Kimura")
Ex. 1036	U.S. Patent No. 5,797,089 to Nguyen ("Nguyen")
Ex. 1037	U.S. Patent No. 6,512,919 to Ogasawara ("Pat. Ogasawara")
Ex. 1038	U.S. Patent No. 6,108,727 to Boals et al. ("Boals")

### Patent Owner's Exhibits

Exhibit	Description
Ex. 2001	Declaration of William H. Mangione-Smith, Ph.D.
Ex. 2002	ATP Proposal Preparation Kit
Ex. 2003	Email from David Nairn to Ed Bachner
Ex. 2004	"Moving Toward a Future of Ubiquitous Computing," Technology@Intel Magazine
Ex. 2005	"TECHNOLOGY; Verizon Plans Fast Internet for Cellphones," New York Times, Jan. 9, 2004.
Ex. 2006	"Data Over Cellular: A Look at GPRS," Communication Systems Design, April 2000.
Ex. 2007	Telecom & Networking Glossary, 1999.
Ex. 2008	Member benefits (available at <a href="https://www.oclc.org/membership/benefits.en.html">https://www.oclc.org/membership/benefits.en.html</a> )
Ex. 2009	"Libraries Hope for Web 2.0 Shake-up with New Site," Washington Internet Daily, Dec. 15, 2006.
Ex. 2010	Email from Sharon Shaffer to Keith Campbell
Ex. 2011	ATP Project Brief: Wireless Replication of Enterprise Data for Instant Access by Mobile Workers
Ex. 2012	"Wireless biz aims to link road warriors to office," Crain's Chicago Business, Jan. 14, 2002.
Ex. 2013	Email chain between Sergio Fogel and Ed Bachner
Ex. 2014	Declaration of Daniel A. Zaheer supporting motion for <i>pro hac</i> <i>vice</i> admission

## PRELIMINARY STATEMENT

Pursuant to 37 C.F.R. § 42.10(c) of the Code of Federal Regulations (“Federal Regulations”), Patent Owner Rosetta-Wireless Corporation (“Patent Owner” or “Rosetta”) respectfully requests the *pro hac vice* admission of Daniel A. Zaheer as backup counsel for Rosetta in the current proceedings. The Petitioners Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and Apple Inc., (“Petitioners”) were consulted regarding this request, and have indicated through counsel that they would not oppose. A declaration made by Mr. Zaheer in support of this motion is attached hereto as Exhibit 2014.

### **I. Statement of Facts**

1. Mr. Zaheer is a litigation attorney experienced in patent cases, and is admitted to practice law in California as well as multiple Federal Courts, including the following:

- a. United States District Court for the Northern District of California
- b. United States District Court for the Eastern District of California
- c. United States District Court for the Eastern District of Texas
- d. United States Court of the Appeals for the Ninth Circuit
- e. United States Court of the Appeals for the Federal Circuit
- f. United States Supreme Court

2. Mr. Zaheer has not had any application denied for admission to practice, nor has he been sanctioned, cited for contempt, suspended or disbarred from practice, before any court or administrative body.

3. Mr. Zaheer has an established familiarity with the subject matter at issue in this proceeding, having represented Rosetta in District Court proceedings involving the same technology (*Rosetta-Wireless Corp. v. Apple Inc. et al.*, No. 15-cv-00799, (N.D.Ill) and *Rosetta-Wireless Corp. v. Samsung Electronics Co., Ltd. et al.*, No. 15-cv-10605, (N.D.Ill)). Mr. Zaheer has carefully studied the patent-in-suit, including its prosecution history, and has conducted many interviews with the inventors regarding their invention, the prosecution history and the patent. Mr. Zaheer is intimately familiar with the positions taken by the petitioners and the other defendants in the above litigation, and has provided counsel to the inventors in connection with litigation involving a foreign counterpart in the United Kingdom. Mr. Zaheer is an experienced patent litigator, having litigated numerous patent infringement cases, for both plaintiffs and defendants, at both the district court and Federal Circuit levels. Mr. Zaheer has, for example, served as trial and appellate counsel for the Australian national science agency, Commonwealth Scientific and Industrial Research Organisation, including in the currently pending *CSIRO v. Cisco*, Eastern District of Texas Case No. 6-11-cv-343 and Federal Circuit Case No. 15-1066.

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