

IPR2016-00622  
Patent No. 7,149,511 B1

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.,  
Petitioner,

v.

ROSETTA-WIRELESS CORPORATION,  
Patent Owner.

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Case IPR2016-00622<sup>1</sup>  
Patent No. 7,149,511 B1

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**MOTION FOR *PRO HAC VICE* ADMISSION UNDER  
37 C.F.R. § 42.10**

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<sup>1</sup> Case IPR2016-00616 has been consolidated with this proceeding.

Petitioner Apple Inc. (“Petitioner Apple”) files this motion for *pro hac vice* admission under 37 C.F.R. § 42.10(c), as authorized in the Notice of Filing Date Accorded to Petition, Paper No. 5. The Board requires that such motions be filed in accordance with the “Order – Authorizing Motion for *Pro Hac Vice* Admission” in Case IPR2013-00639, Paper 7 (“Order”).

Petitioner Apple respectfully requests that the Board recognize Mr. David M. DesRosier as counsel *pro hac vice* during this proceeding.

**1. Time for Filing**

This motion for *pro hac vice* admission is filed no sooner than twenty-one (21) days after service of the petition, as required by the Order.

**2. Statement of Facts**

The following statement of facts shows that there is good cause for the Board to recognize Mr. DesRosier *pro hac vice*.

Mr. DesRosier is an experienced litigation attorney, and has been involved in numerous litigations involving patent infringement in District Courts across the country. Mr. DesRosier’s biography is attached hereto as Apple Exhibit 1063.

U.S. Patent No. 7,149,511 is currently asserted in *Rosetta-Wireless Corp. v. Apple Inc. et al.*, Case No. 1:15-cv-799 (N.D. Ill.) (“the Co-Pending Litigation”). Mr. DesRosier is counsel for Petitioner Apple in the Co-Pending

Litigation (currently stayed pending the outcome of these *inter partes* review proceedings) and, as such, has an established familiarity with the subject matter at issue in these *inter partes* review proceedings. Petitioner Apple wishes to continue using Mr. DesRosier as counsel in this proceeding.

Further, counsel for Patent Owner and counsel for the Samsung Petitioners do not oppose Mr. DesRosier appearing *pro hac vice* during these proceedings.

Therefore, Petitioner Apple respectfully submits that there is good cause for the Board to recognize Mr. DesRosier as counsel *pro hac vice* during these proceedings.

### **3. Affidavit or Declaration of Individual Seeking to Appear**

This Motion for *Pro Hac Vice* Admission is accompanied by the declaration of Mr. David M. DesRosier. Apple Exhibit 1062.

Dated: September 7, 2016

Respectfully submitted,

*/ Brian E. Ferguson /*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 7, 2016, the foregoing

**Motion for *Pro Hac Vice* Admission Under 37 C.F.R. § 42.10, Apple**

**Exhibits 1062 – 1063, and Petitioners' Updated Exhibit List** were served via

electronic mail, upon the following:

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