

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.
Petitioner

v.

UUSI, LLC d/b/a NARTRON
Patent Owner

Case IPR2016-00908
Patent No. 5,796,183

**PATENT OWNER'S MOTION FOR
PRO HAC VICE ADMISSION OF TERESA M. SUMMERS**

Patent Owner UUSI, LLC d/b/a/ Nartron. (“UUSI” or “Patent Owner”)
respectfully requests that the Board recognize and admit Teresa M. Summers as
counsel *pro hac vice* to represent UUSI during the above-captioned proceeding.
The bases and support for UUSI’s requests are as follows.

1. Timing of UUSI’s Request

UUSI’s motion is being filed no sooner than twenty-one (21) days after the
service of the petition.

2. Good Cause Basis for UUSI’s Request

The Board may recognize counsel *pro hac vice* during a proceeding upon a
showing of good cause, subject to the condition that lead counsel is a registered
practitioner and a declaration of the party seeking admission is included with the
Request. 37 C.F.R. § 42.10(c). Good cause has been shown where, for example,
the attorney for which *pro hac vice* admission is sought is an experienced patent
litigator and has a familiarity with the subject matter at issue in the proceeding, and
the admission of the party’s counsel will facilitate the party’s ability to effectively
participate in the proceeding. UUSI respectfully submits that all of these
conditions have been met here.

UUSI's lead counsel, Jay P. Kesan, is a registered practitioner. *See* Exhibit 2000, Declaration of Teresa M. Summers in Support of Motion for Admission *Pro Hac Vice* ("Summers Decl."), at ¶ 15.

As demonstrated by her declaration, Ms. Summers is an experienced litigator who has litigated patent infringement cases for various parties in federal district courts throughout the United States, the U.S. Court of Appeals for the Federal Circuit, and the International Trade Commission. *Id.* at ¶¶3-7. Ms. Summers clerked at the Court of Appeals for the Federal Circuit and represents clients in appeals before that Court. *Id.* at ¶¶4, 6. Her legal career spans over thirteen (13) years. *See Id.* at ¶¶3, 7. Ms. Summers has extensive experience in litigating patent infringement cases, and has served as lead counsel in such cases. *Id.* at ¶¶3-7.

Ms. Summers is familiar with the subject matter of this proceeding. She represents UUSI in an intellectual property dispute pending at the Court of Federal Claims, *UUSI, LLC, et. al. v. The United States, et. al.*, Case No. 12-216 C, Ct. Fed. Cl. ("*UUSI v. US*"). *Id.* at ¶13. While the specific patents at issue in *UUSI v. US* do not include U.S. Pat. No. 5,796,183 (the "'183 Patent"), in her role as UUSI's counsel and during the course of litigating on behalf of UUSI, Ms. Summers has become familiar with UUSI's technological innovations and patent portfolio, including the '183 Patent. *Id.* Ms. Summers has analyzed and studied

the '183 Patent. *Id.* Further, Ms. Summers has litigated patent infringement issues involving touch sensors on behalf of other clients. For example, Ms. Summers was part a team that represented Immersion Corporation, a developer of touch feedback technology, in patent litigation involving touchscreen products. *Id.* Ms. Summers has reviewed and is familiar with the '183 Patent, its prosecution history, the prior art and other arguments concerning the validity of the patent made by petitioner. *Id.*

UUSI submits that Ms. Summers's participation will assist it and its lead counsel in effectively participating in this proceeding, and will facilitate timely completion of the trial proceeding.

Ms. Summers has never been suspended, disbarred, sanctioned or cited for contempt by any court or administrative body, and has never had an application for admission to practice before a court or agency denied. *Id.* at ¶¶8-9. Ms. Summers is a member in good standing of the Bar of Virginia. *Id.* at ¶2. Ms. Summers has further agreed, as indicated in his declaration, to read and to be subject to the Office Patent Trial Practice Guide, the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R, and the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*, and submit to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* at ¶¶10-11.

3. Conclusion

For the foregoing reasons, UUSI respectfully requests that the PTAB recognize Teresa M. Summers as its counsel, *pro hac vice*, in this proceeding.

Respectfully submitted,

Dated: May 6, 2016

By: /s/ Jay P. Kesan
Jay P. Kesan
Reg. No. 37,488
Counsel for Patent Owner

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