

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION, MICROSOFT MOBILE INC., SAMSUNG
ELECTRONICS AMERICA, INC. AND SAMSUNG ELECTRONICS CO. LTD.,
Petitioners

v.

FASTVDO LLC,
Patent Owner

Case IPR2016-01179
Patent 5,850,482

APPLE INC.,
Petitioner

v.

FASTVDO LLC,
Patent Owner

Case IPR2016-01203
Patent 5,850,482

PATENT OWNER'S MOTION FOR COUNSEL TO WITHDRAW AND
TO PERMIT SUBSTITUTION OF NEW COUNSEL¹

¹ Permission to use a common caption for both cases involving U.S. Patent No.
5,850,482, Case IPR2016-01179 and Case IPR2016-01203, filed 12/22/16.

I. 37 C.F.R. § 42.10 – STATEMENT OF RELIEF REQUESTED

Patent Owner FastVDO LLC (“FastVDO”), owner of U.S. Patent No. 5,850,482, respectfully requests that the Patent Trial and Appeal Board (“Board”) hereby enter the appearance of two additional counsel, Wayne M. Helge (Reg. No. 56,905) and Walter D. Davis (Reg. No. 45,137), designate Wayne M. Helge as lead counsel, and permit current counsel-of-record Neil A. Rubin (Reg. No. 67,030), Amir Naini (Reg. No. 45,770), and Christian W. Conkle to withdraw from this action.

II. STATEMENT OF FACTS SUPPORTING WITHDRAWAL OF COUNSEL

On September 9, 2016, the undersigned counsel contacted the Board by email seeking permission to file this motion. On September 13, 2016, the Board responded by email with authorization to file this Motion to Withdraw. Patent Owner hereby requests that current designated counsel be allowed to withdraw from this proceeding, and that new counsel be designated accordingly, with Wayne M. Helge being designated as lead counsel.

Patent Owner’s new counsel all meet the requirements of 37 C.F.R. § 42.10(c) as registered practitioners before the USPTO and are registered users of PTAB E2E. An executed Power of Attorney appointing Patent Owner FastVDO’s new counsel accompanies this motion as an Exhibit. FastVDO wishes for new counsel in the above-captioned *inter partes* review. Specifically, FastVDO has

appointed new counsel will be as follows:

Lead Counsel:

Wayne M. Helge (Reg. No. 56,905)
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Backup Counsel:

Walter D. Davis (Reg. No. 45,137)
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It is believed that granting this Motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. *See* 35 U.S.C. § 316(b).

Patent Owner has conferred with Petitioners' counsel in each of IPR2016-01179 and -01203. The Petitioners do not oppose this Motion.

III. CONCLUSION

Patent Owner FastVDO respectfully requests that the Board grant this Motion to enter the appearance of two additional counsel, to re-designate lead counsel to Wayne M. Helge, and to allow current counsel-of-record Neil A. Rubin (Reg. No. 67,030), Amir Naini (Reg. No. 45,770), and Christian W. Conkle to withdraw.

Dated: September 13, 2016

Respectfully submitted,

By: */s/ Amir A. Naini*
Registration No. 45,770
Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2016, a true and correct copy of the foregoing Patent Owner's *Motion for Counsel to Withdraw and to Permit Substitution of Counsel* was served on Petitioners in both IPR2016-01179 and IPR2016-01203 by serving the correspondence email addresses of record as follows:

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