

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

IMMERSION CORPORATION,
Patent Owner

CASE: IPR2016-01372
Patent No. 8,659,571

MOTION FOR *PRO HAC VICE* ADMISSION

UNDER 37 C.F.R. § 42.10

Petitioner Apple Inc. (“Petitioner” or “Apple”) respectfully requests that the Board recognize Mr. Robert Williams as counsel *pro hac vice* during this proceeding.

1. Time For Filing

This Motion for Pro Hac Vice Admission is being filed no sooner than twenty one (21) days after service of the petition as required by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response entered July 13, 2016. Paper No. 3 at 2 (citing “Order – Authorizing Motion for *Pro Hac Vice* Admission” in Case IPR2013-00639, Paper No. 7).

2. Statement of Facts

As required by the Notice authorizing this Motion for *Pro Hac Vice* Admission (Paper No. 3), the following statement of facts shows that there is good cause for the Board to recognize Mr. Williams *pro hac vice*.

Mr. Williams is an experienced litigation attorney, and has been involved in numerous litigations involving patent infringement in District Courts across the country. He has experience in jury and bench trials, Markman hearings, and oral arguments in patent infringement litigation matters.

U.S. Patent No. 8,659,571 (the “’571 patent”) is assigned to Immersion Corporation (“Immersion” or “Patent Owner”). The ’571 patent is related to six other patents currently asserted by Immersion against Apple in the co-pending

investigation In the Matter of Certain Mobile And Portable Devices Incorporating Haptics (Including Smartphones And Laptops) And Components Thereof. United States International Trade Commission Investigation No. 337-TA-1004/990.

These patents include U.S. Patent Nos. 8,773,356 (the “’356 patent”), 8,619,051 (the “’051 patent”), 8,581,710 (the “’710 patent”), 8,749,507 (“the ’507 patent”), 7,808,488 (“the ’488 patent”), and 7,336,260 (“the ’260 patent”).

Mr. Williams is counsel for Apple in the co-pending litigation and, as such, has an established familiarity with the subject matter at issue in this proceeding. In the co-pending litigation, Mr. Williams has reviewed prior art references and invalidity contention claim charts, and was involved in forming claim construction positions, some of which are relied upon in the petition requesting *inter partes* review of U.S. Patent No. 8,581,710. Petitioner has expended significant financial resources in the co-pending litigation with Mr. Williams as counsel, and Petitioner wishes to continue using Mr. Williams as counsel in this proceeding.

Further, counsel for Patent Owner does not oppose Mr. Williams appearing *pro hac vice* during this proceeding. Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Williams as counsel *pro hac vice* during this proceeding.

3. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Mr. Robert Williams as required by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response entered July 13, 2016.

Respectfully Submitted,

/s/ James M. Heintz

James M. Heintz

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Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served on Patent Owner Immersion Corporation by emailing a copy to counsel at the email addresses listed below:

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Date: May 10, 2017

By: /James M. Heintz/
James M. Heintz
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Counsel for Petitioner