

Filed on behalf of: LG Electronics, Inc. and
LG Electronics U.S.A., Inc.

Paper _____

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS U.S.A., INC. and LG ELECTRONICS, INC.,
Petitioner,

v.

ROSETTA-WIRELESS CORPORATION,
Patent Owner.

Case IPR2016-01516
Patent 7,149,511 B1

**PETITIONER'S CORRECTED MOTION FOR ADMISSION
PRO HAC VICE OF MARK T. RAWLS**

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. Relief Requested

Pursuant to 37 C.F.R. § 42.10, Petitioners LG Electronics, Inc. and LG Electronics U.S.A., Inc. (“Petitioner”) requests that the Board admit Mark T. Rawls *pro hac vice* in this proceeding to serve as back-up counsel.

II. Statement of Facts Showing There is Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose. § 42.10(c) indicates that, “where lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Mark T. Rawls *pro hac vice* during this proceeding, so that he may participate in, *inter alia*, oral hearings, depositions, and conferences with the Board.

1. Lead counsel, Brian A. Tollefson, is a registered practitioner.

2. Counsel, Mark T. Rawls, is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion is the Declaration of Mark T. Rawls in Support of Patent Owner's Motion for Admission *Pro Hac Vice* ("Rawls Decl."). Mr. Rawls is a member in good standing of the Bars of the State of Virginia and the District of Columbia, and is admitted to practice in the United States District Court for the Eastern District of Virginia. Rawls Decl., ¶ 2. Mr. Rawls has been litigating patent cases since 2014. *Id.* at ¶ 3. Prior to that, Mr. Rawls served for two summers as a law clerk working on various patent matters under the supervision of attorneys. *Id.* Mr. Rawls is a member of the Giles S. Rich American Inn of Court, the D.C. Inn devoted to the practice of intellectual property law. *Id.* at ¶ 4.

3. Mr. Rawls is familiar with the subject matter at issue in this proceeding by virtue of his representing the Petitioner in a lawsuit brought against the Petitioner, *Rosetta-Wireless Corp. v. LG Electronics Co. and LG Electronics USA Inc.*, Case No. 1:15-cv-10608-EEC (N.D. Ill.), involving the patent at issue in this proceeding. Rawls Decl., ¶ 11. Moreover, Mr. Rawls has a B.S., Computer Science and Mathematics, from University of Virginia (*magna cum laude*) and M.S., Mathematics, from the University of Virginia, and has a thorough

understanding of the subject matter and the patent at issue in this proceeding. *Id.* at

¶ 12.

4. Mr. Rawls attests to each of the listed items required by the “Order -- Authorizing Motion for *Pro Hac Vice* Admission in Case IPR2013-00639” referenced in the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, mailed August 19, 2015 (Paper 3). *See* Rawls Decl., ¶¶ 1-13.

5. Mr. Rawls has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R. Rawls Decl., ¶ 8. Mr. Rawls agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a) and to be subject to the USPTO Rules of Professional Conduct as set forth in Changes to Representation of Others Before the United States Patent and Trademark Office; Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013) (effective May 3, 2013). *Id.* at ¶ 9.

III. Conclusion

The requirements for admission *pro hac vice* being hereby established, Petitioners LG Electronics, Inc. and LG Electronics U.S.A., Inc., respectfully requests that the Board admit Mark T. Rawls *pro hac vice* in this proceeding.

Respectfully submitted,

Dated: August 25, 2016

By: /Brian A. Tollefson /

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