

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG Electronics U.S.A., Inc. and LG Electronics, Inc.,
Petitioners,

v.

Rosetta-Wireless Corporation,
Patent Owner.

Case IPR 2016-01516
Patent 7,149,511

**PATENT OWNERS' MOTION FOR PRO HAC VICE ADMISSION
OF MICHAEL NG PURSUANT TO 37 C.F.R. § 42.10(c)**

PRELIMINARY STATEMENT

Pursuant to 37 C.F.R. § 42.10(c) of the Code of Federal Regulations (“Federal Regulations”), Patent Owner Rosetta-Wireless Corporation (“Patent Owner” or “Rosetta”) respectfully requests the *pro hac vice* admission of Michael Ng as backup counsel for Rosetta in the current proceedings. The Petitioners LG Electronics U.S.A., Inc. and LG Electronics, Inc. (“Petitioners”) were consulted regarding this request, and have indicated through counsel that they would not oppose. A declaration made by Mr. Ng in support of this motion is attached hereto as Exhibit 2001.

I. Statement of Facts

1. Mr. Ng is a litigation attorney experienced in patent cases, and is admitted to practice law in California, New York, and Mississippi as well as multiple Federal Courts, including the following:
 - a. United States District Court for the Northern District of California
 - b. United States District Court for the Eastern District of California
 - c. United States District Court for the Central District of California
 - d. United States District Court for the Southern District of California
 - e. United States District Court for the Eastern District of Texas
 - f. United States District Court for the Northern District of Mississippi
 - g. United States District Court for the Southern District of Mississippi

- h. United States District Court for the Southern District of New York
- i. United States Court of the Appeals for the Second Circuit
- j. United States Court of the Appeals for the Fifth Circuit
- k. United States Court of the Appeals for the Ninth Circuit
- l. United States Court of the Appeals for the Federal Circuit
- m. United States Supreme Court

2. Mr. Ng has not had any application denied for admission to practice, nor has he been sanctioned, cited for contempt, suspended or disbarred from practice, before any court or administrative body.

3. Mr. Ng has an established familiarity with the subject matter at issue in this proceeding, having represented Rosetta in District Court proceedings involving the same technology (*Rosetta-Wireless Corp. v. Apple Inc. et al.*, Lead Case No. 15-cv-00799, (N.D. Ill) and *Rosetta-Wireless Corp. v. LG Electronics Co. and LG Electronics USA Inc.*, No. 15-cv-10608, (N.D. Ill)). Mr. Ng has carefully studied the patent-in-suit, including its prosecution history, and has conducted many interviews with the inventors regarding their invention, the prosecution history and the patent. Mr. Ng is intimately familiar with the positions taken by the petitioners and the other defendants in the above litigation, and has provided counsel to the inventors in connection with litigation involving a foreign counterpart in the United Kingdom. Mr. Ng is an experienced patent litigator, having litigated

dozens of patent infringement cases, for both plaintiffs and defendants, at both the district court and Federal Circuit levels. Mr. Ng has, for example, served as lead trial and appellate counsel for the Australian national science agency, Commonwealth Scientific and Industrial Research Organisation, including in the currently pending *CSIRO v. Cisco*, Eastern District of Texas Case No. 6-11-cv-343.

4. Mr. Ng has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R.

II. Conclusion

For the reasons stated above, Patent Owner respectfully submits that there is good cause for the Board to recognize Michael Ng *pro hac vice* during the proceeding.

Dated: September 13, 2016

KOBRE & KIM

/s/ Michael Ng
Michael Ng (*Pro Hac Vice* Pending)
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*Attorney for Patent Owner Rosetta-
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CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing PATENT OWNERS' MOTION FOR PRO HAC VICE ADMISSION OF MICHAEL NG PURSUANT TO 37 C.F.R. § 42.10(c) was served via email to lead and backup counsel of record for Petitioners as follows:

Brian A. Tollefson of Rothwell, Figg, Ernst & Manbeck, P.C.

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Dated: September 13, 2016

KOBRE & KIM

/s/ Michael Ng _____
Michael Ng (*Pro Hac Vice* Pending)
*Attorney for Patent Owner Rosetta-
Wireless Corp.*