

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.,
Petitioner,

v.

PAPST LICENSING GMBH & CO., KG.,
Patent Owner.

Case IPR2016-01863
Patent 8,504,746

**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION
UNDER 37 CFR §42.10(c)**

Patent Owner Papst Licensing GmbH & Co., KG respectfully requests that the Board recognize Christopher V. Goodpastor, Esq., as counsel *pro hac vice* pursuant to 37 CFR §42.10(c).

I. STATEMENT OF FACTS

The following statement of facts show that there is good cause for the Board to recognize Mr. Goodpastor *pro hac vice*.

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. Section 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.” Patent Owner’s lead counsel is a registered practitioner.

Furthermore, Mr. Goodpastor is a highly experienced patent litigation attorney, who has been involved in numerous patent litigations before the federal district courts. He has experience litigating complex electrical and software related patents, such as the patent at issue in the instant proceeding.

Mr. Goodpastor has substantial experience with U.S. Patent No. 8,504,746 (“the ’746 patent”). Mr. Goodpastor represents Papst in *Papst Licensing GmbH &*

Co. KG v. Apple, Inc., et al., 6:15-cv-01095 (E.D. Tex.) in which the '746 Patent has been asserted. As a result, Mr. Goodpastor has established familiarity with the subject matter at issue in this proceeding, including substantive knowledge of the '746 patent, its prosecution history, and related matters.

Counsel for Petitioner does not oppose Mr. Goodpastor appearing *pro hac vice* during this proceeding.

II. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Patent Owner's Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Christopher V. Goodpastor, with accompanying biography, attached hereto as **Exhibit 2009**.

Date: December 18, 2017

Respectfully Submitted,

/s/ Gregory S. Donahue

Gregory S. Donahue

Reg. No. 47,531

DiNovo Price LLP

7000 North MoPac Expressway

Suite 350

Austin, TX 78731

Telephone: (512) 539-2625

Facsimile: (512) 539-2627

*Lead Counsel for Patent Owner Papst
Licensing GMBH & Co., KG*

Michael R. Fleming
Reg. No. 67,933
mfleming@irell.com
Irell & Manella LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Telephone: (310) 277-1010
Facsimile: (310) 203-7199

*Back-Up Counsel for Patent Owner
Papst Licensing GMBH & Co., KG*

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2017, a true and correct copy of the foregoing MOTION FOR PRO HAC VICE APPLICATION was served by electronic mail upon the following counsel of record for Apple, Inc.:

Lori A. Gordon
Steven W. Peters
Tyler J. Dutton
STERNE, KESSLER, GOLDSTEIN & FOX
1100 New York Avenue, N.W.
Washington, D.C. 20005
lgordon-ptab@skgf.com
speters-ptab@skgf.com
tdutton-ptab@skgf.com
ptab@skgf.com

/s/ Gregory S. Donahue

Gregory S. Donahue
Reg. No. 47,531
DiNovo Price LLP
7000 North MoPac Expressway
Suite 350
Austin, Texas 78731