

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REACTIVE SURFACES LTD., LLP

Petitioner

v.

TOYOTA MOTOR CORPORATION

Patent Owner

Case: IPR2016-01914

Patent No. 8,394,618 B2

PETITIONER'S MOTION FOR ADMISSION PRO HAC VICE OF
RICO REYES

David O. Simmons, Reg. No. 43,124
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Dated: November 8, 2017

Pursuant to 37 C.F.R. § 42.10(c) and the Board's authorization provided in Paper No. 3, Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, Petitioner requests that the board grant this Motion to Admit Rico Reyes *pro hac vice* in this proceeding. Patent Owner has indicated that it does not object to this Motion.

The Board may recognize counsel *pro hac vice* during a proceeding on a showing of good cause. "[W]here lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon a showing that counsel is an experienced litigation attorney and has an established familiarity with the subject matter at the issue in the proceeding." 37 C.F.R. § 42.10(c).

Here, both lead and back-up counsel, David O. Simmons and Jonathan D. Hurt, are registered practitioners. Mr. Reyes has over sixteen years of litigation experience with a focus on general and commercial litigation since 2010. Moreover, Mr. Reyes has represented petitioner since December of 2014 on this and other matters involving intellectual property. During this time, he has established familiarity with both petitioner's technology and petitioner's intellectual property, including patents, patent applications, and the patent in dispute in this *Inter Partes* Review proceeding as well as the reasons for its invalidity. Accompanying this motion is the Declaration of Rico Reyes, where Mr. Reyes attests to his experience

and familiarity. *See generally* Reyes Decl. (Ex. 1052). Specifically, Mr. Reyes attests that:

- He has been a practicing attorney for over sixteen years. Since 2010, his practice has focused on general, business and commercial litigation, and has included intellectual property litigation.
- He is a member in good standing of the State Bar of Texas;
- He is a participating member of the team that is preparing the petitioners' IPR petition in this case and several other IPR petitions which challenge patents owned by the same patent owner that cover the same or similar technology and same or similar claimed subject matter as Patent No. 8,394,618 B2

Id. ¶¶ 1-3, 10.

Accordingly, these facts establish good cause to recognize Mr. Reyes in this proceeding. Thus, Petitioner requests that the Board admit Mr. Reyes *pro hac vice* in this proceeding.

Respectfully submitted,

/s/David O. Simmons, Reg. No. 43,124

David O. Simmons

Counsel for Petitioner

Reactive Surfaces Ltd., LLP

CERTIFICATE OF SERVICE

I hereby certify that a true and true correct copy of the foregoing PETITIONER'S MOTION FOR ADMISSION PRO HAC VICE OF RICO REYES was served on November 8, 2017 by email on the following counsel of record for Patent Owner:

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Dated: November 8, 2017

Respectfully submitted,

/s/David O. Simmons

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