

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TOYOTA MOTOR CORPORATION AND DENSO CORPORATION,  
Petitioners

v.

INTELLECTUAL VENTURES II LLC,  
Patent Owner

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Case No. IPR2017-01497  
Patent No. 7,067,952

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**PATENT OWNER'S MOTION FOR PRO HAC VICE ADMISSION OF  
PATRICK T. DRISCOLL  
PURSUANT TO 37 C.F.R. § 42.10**

**I. Relief Requested**

Pursuant to 37 C.F.R. § 42.10(c) and the Board’s “Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response,” entered in this matter, which authorized the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Patent Owner requests that the Board admit Patrick T. Driscoll *pro hac vice* in this proceeding.

**II. Statement of Facts**

Pursuant to 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. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding. 37 C.F.R. § 42.10(c).

The facts, supported by the attached Declaration of Patrick T. Driscoll in Support of Patent Owner’s Motion for Admission *Pro Hac Vice* (“Driscoll Decl.”), establish good cause to admit Mr. Driscoll *pro hac vice* in this proceeding.

Lead counsel Brad M. Scheller is a registered practitioner and is experienced in proceedings before the USPTO. Backup counsel William A. Meunier is also a registered practitioner and is experienced in proceedings before the USPTO.

Mr. Driscoll is an experienced litigating attorney. He has been a patent litigation attorney for five years, and is currently an Associate at Mintz Levin Cohn Ferris Glovsky and Popeo PC. (Driscoll Decl. at ¶ 1.) Mr. Driscoll is a member in good standing of the Massachusetts State Bar, with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations, and is admitted to practice in the United States District Courts for the District of Massachusetts. (*Id.* at ¶¶ 2-5.) His mailing address is at One Financial Center, Boston MA, 02111. His email address is ptdriscoll@mintz.com, and his direct dial is 617-348-3055.

Mr. Driscoll is particularly familiar with the subject matter at issue in this proceeding, as well as the parallel proceeding involving U.S. Patent No. 7,067,952 filed by Patent Owner in the United States International Trade Commission (Investigation No. 337-TA-1073). Mr. Driscoll has reviewed all relevant materials for this matter, including all case pleadings, orders, and notices; U.S. Patent No. 7,067,952; the patent prosecution history; and the Petitioners' asserted prior art. In addition, Mr. Driscoll has a thorough understanding of the grounds of

unpatentability asserted in the Petition and the challenged claims instituted in this action. (*Id.* at ¶ 10.)

Mr. Driscoll has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of the C.F.R., and he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq., and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (*Id.* at ¶¶ 6-7.)

For these reasons Patent Owner respectfully requests that the Board admit Patrick T. Driscoll *pro hac vice* in this proceeding.

Dated: March 12, 2018

/Brad Scheller/

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**CERTIFICATE OF SERVICE**

I certify that a copy of Patent Owner's Motion for *Pro Hac Vice* Admission of Patrick T. Driscoll Pursuant to 37 C.F.R. § 42.10 and Declaration of Patrick T. Driscoll in support of Motion for *Pro Hac Vice* Admission are being served by electronic mail on the following counsel of record:

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