

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SHENZHEN ZHIYI TECHNOLOGY CO. LTD., D/B/A ILIFE,  
Petitioner,

v.

IROBOT CORP.,  
Patent Owner.

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Case IPR2017-02061  
Patent 6,809,490

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**PATENT OWNER IROBOT'S  
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF  
STEPHEN A. MARSHALL  
UNDER 37 C.F.R. § 42.10(c)**

**EXHIBIT LIST**

- IR2001 Prosecution History of U.S. Patent No. 6,809,490 (Serial No. 10/167,851)
- IR2002 U.S. Patent No. 6,076,025 to Ueno et al. (“Ueno-025”)
- IR2003 Claim Construction Order from Investigation No. 337-TA-1057, August 18, 2017
- IR2004 U.S. Provisional Application No. 60/297,718
- IR2005 Declaration of Dr. J. Kenneth Salisbury
- IR2006 Definition of “spot,” The Oxford Essential Dictionary: American Edition, p. 580 (1998)
- IR2007 Definition of “spot,” Webster’s II New College Dictionary, p. 1068 (1999)
- IR2008 RESERVED
- IR2009 European Patent Application Publication No. EP0145683 A1 to Brantmark et al. (“Brantmark”)
- IR2010 U.S. Patent No. 6,452,348 to Toyoda (“Toyoda”)
- IR2011 U.S. Patent No. 6,681,031 to Cohen et al. (“Cohen”)
- IR2012 U.S. Patent No. 4,484,294 to Noss (“Noss”)
- IR2013 U.S. Patent No. 4,360,886 to Kostas et al. (“Kostas”)
- IR2014 Definition of “isolated,” The New Shorter Oxford English Dictionary, Volume 1, p. 1425 (1993)
- IR2015 Transcript of Deposition of Dr. C. Douglass Locke taken June 20, 2018
- IR2016 Declaration of Stephen A. Marshall in Support of *Pro Hac Vice* Admission

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner, iRobot Corp. (“iRobot” or “Patent Owner”) respectfully requests that the Board recognize Stephen A. Marshall as counsel *pro hac vice* in this proceeding. Patent Owner seeks the counsel of Mr. Marshall due to his experience in representing iRobot in other patent-related matters and particularly due to his familiarity with the substantive and technical issues involved in this proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on September 14, 2017.

Petitioner does not oppose this motion.

### **Statement of Facts**

Mr. Marshall is a patent litigation attorney with nearly 12 years of experience representing clients in cases involving telecommunications, computer networking, embedded systems and software, and robotics. Mr. Marshall regularly litigates patent cases before the United States Court of Appeals for the Federal Circuit, various federal district courts, and the International Trade Commission. Through his practice in such cases, Mr. Marshall has gained substantial experience in jury trials, discovery, Markman hearings, and appeals. iRobot provides Exhibit A (attached to the accompanying Declaration), as evidence of Mr. Marshall’s biography.

Mr. Marshall also has particular experience and familiarity with the substantive and technical issues involved in this *inter partes* review proceeding. In two related matters, *Certain Robotic Vacuum Cleaning Devices and Components Thereof Such as Spare Parts*, Inv. No. 337-TA-1057 (Int'l Trade Comm'n), filed April 18, 2017 and *iRobot Corp. v. Shenzhen Zhiyi Technology Co., Ltd., d/b/a iLife*, Case No. 1:17-cv-10652 (D. Mass.), Mr. Marshall is serving as lead or co-lead counsel for iRobot. These related litigations each involve the patent at issue in this *inter partes* review proceeding.

### **1. Declaration of Individual Seeking to Appear**

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Stephen A. Marshall as required by the Order Authorizing Motion for *Pro Hac Vice* mailed September 14, 2017.

Accordingly, iRobot submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Stephen A. Marshall as counsel *pro hac vice* during this proceeding.

Proceeding No.: IPR2017-02061  
Attorney Docket: 44360-0004IP1

Respectfully submitted,

Date: August 28, 2018

/Jeremy J. Monaldo/

Jeremy J. Monaldo

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