

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NFL ENTERPRISES LLC,
Petitioner

v.

OPENTV, INC.,
Patent Owner

CASE: IPR2017-02092
Patent No. 6,233,736 B1

Before PATRICK E. BAKER, *Trial Paralegal*.

**UNOPPOSED MOTION FOR HILARY L. PRESTON
TO APPEAR *PRO HAC VICE***

Pursuant to 37 C.F.R. § 42.10(c), Petitioner NFL Enterprises LLC moves the Board to recognize Hilary L. Preston *pro hac vice* in connection with the Petition for *Inter Partes* Review of U.S. Patent No. 6,233,736.

Petitioner provides the following information in support of this Motion, as required by the Board's "Order, Authorizing Motion for Pro Hac Vice Admission, 37 C.F.R. § 42.10" in Case IPR2013-00639, Paper 7 ("*Pro Hac* Order").

Pursuant to the *Pro Hac* Order, Part 2(a), good cause exists for Hilary L. Preston to appear *pro hac vice* in connection with the subject Petition for *Inter Partes* Review because: (1) Ms. Preston is a Partner at the law firm Vinson & Elkins LLP and a member of good standing of the Bars of the State of New York and the State of Texas; (2) Ms. Preston is an experienced patent litigator with over 10 years of experience in litigating patent suits; (3) Ms. Preston has extensive experience litigating patent validity issues in federal court; (4) Ms. Preston is especially familiar with the subject matter at issue because she represents Petitioner in the related proceeding *Nagravision SA and OpenTV, Inc. v. NFL Enterprises LLC*, No. 2:17-cv-3919-AB-SK, filed in the U.S. District Court for the Central District of California, concerning U.S. Patent Nos. 7,996,861, 7,421,729, 7,028,327, 7,950,033, 7,055,169, 7,020,888, 6,233,736, and 6,154,172, and represented Petitioner in *OpenTV, Inc. v. NFL Enterprises LLC*, No. 2:17-cv-00031-JRG-RSP, filed in the U. S. District Court for the Eastern District of Texas where the Patent Owner previously asserted the '736 Patent and then voluntarily dismissed that action on May 24, 2017; (5) Petitioner has a need to have its counsel in the co-pending litigation involved in this proceeding; (6) Ms. Preston has not appeared *pro hac vice* in any other proceedings before the Office; and (7) Stephen C. Stout, lead counsel for Petitioner with respect to the subject Petition for *Inter Partes* Review, is a Partner at Vinson & Elkins LLP and a registered practitioner before the United States Patent and Trademark Office (Reg. No. 61,326).

The information required by the *Pro Hac* Order, Part 2 (b)(i)-(viii), can be found in the accompanying Declaration of Hilary L. Preston in support of this Motion. Petitioner has conferred with lead counsel for Patent Owner and understands that Patent Owner does not oppose this Motion.

The undersigned attorney welcomes a telephone call should the Office have any requests or questions.

Dated: March 28, 2018

Respectfully submitted,

By: /Stephen C. Stout/
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ATTORNEYS FOR PETITIONER
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 28th day of March, 2018, a true and correct copy of the foregoing **UNOPPOSED MOTION FOR HILARY L. PRESTON TO APPEAR *PRO HAC VICE*** is being served via electronic mail as agreed by the parties on the following attorneys of record:

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