

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA) INC.,
SAMSUNG ELECTRONICS CO., LTD.
AND SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioners,

v.

FUNDAMENTAL INNOVATION SYSTEMS INTERNATIONAL LLC,
Patent Owner.

IPR2018-00111
Patent No. 8,624,550

**FUNDAMENTAL INNOVATION SYSTEMS INTERNATIONAL LLC'S
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF
JASON S. SHEASBY UNDER 37 C.F.R. § 42.10(C)**

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U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) and the Board's "Order Authorizing Motion for *Pro Hac Vice* Admission – 37 C.F.R. § 42.10(c)," in Case IPR2013-00639, Paper 7, entered October 15, 2013, incorporated by Paper 8 in the present case, Patent Owner Fundamental Innovation Systems International LLC, ("Fundamental Innovation"), by and through its attorneys, respectfully requests that the Board admit Jason G. Sheasby *pro hac vice* in this proceeding.

II. GOVERNING LAW, RULES, AND PRECEDENT

Section 42.10(c) states as follows:

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.

III. STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of Jason G. Sheasby submitted herewith, Fundamental Innovation submits that a

showing of good cause has been made and respectfully requests the *pro hac vice* admission of Jason G. Sheasby in this proceeding:

1. Patent Owner's lead counsel, Hong Zhong, is a registered practitioner (Reg. No. 66,530). First back-up counsel, Michael R. Fleming, is also a registered practitioner (Reg. No. 67,933).
2. Mr. Sheasby is a Partner at the law firm of Irell & Manella LLP.
3. Mr. Sheasby is an experienced litigating attorney and has been litigating cases relating to patents for over 17 years.
4. Mr. Sheasby is a member in good standing of the California State Bar.
5. Mr. Sheasby has never been suspended or disbarred from practice before any court or administrative body.
6. No application filed by Mr. Sheasby for admission to practice before any court or administrative body has ever been denied.
7. No sanctions or contempt citations have been imposed against Mr. Sheasby by any court or administrative body.
8. Mr. Sheasby has read and agrees to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R.

9. Mr. Sheasby understands that he will be subject to the USPTO Rules of Professional Conduct 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
10. Mr. Sheasby has appeared and been granted *pro hac vice* admission in three *inter partes* reviews (IPR2012-00033, IPR2013-00242, and IPR2014-001567) before the United States Patent and Trademark Office.
11. Mr. Sheasby has an established familiarity with the subject matter at issue in this proceeding. Mr. Sheasby has acquired substantial understanding of the underlying legal and technological issues at stake in related proceedings. Patent Owner has expended significant time and resources with Mr. Sheasby and wishes to continue using Mr. Sheasby as counsel in this proceeding as appropriate.

IV. GOOD CAUSE EXISTS FOR *PRO HAC VICE* ADMISSION OF JASON G. SHEASBY

The facts outlined above in the Statement of Facts, and contained in the Declaration of Jason G. Sheasby (Ex. 2007), establish that there is good cause to admit Mr. Sheasby *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Patent Owner's lead counsel and first back-up counsel are registered practitioners. Mr.

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Sheasby is an experienced litigating attorney and has an established familiarity with the subject matter at issue.

V. NO OPPOSITION TO THEIR MOTION

Patent Owner has conferred with Petitioner with regard to its Motion, and Petitioner confirmed that it would not oppose the motion.

VI. CONCLUSION

In light of the foregoing, Patent Owner respectfully requests that the Board admit Jason G. Sheasby *pro hac vice* in their proceeding.

Dated: February 27, 2018

Respectfully submitted,

/s/ Hong Zhong

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