

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONOS, INC.
Petitioner

v.

IMPLICIT, LLC
Patent Owner

IPR2018-00767 (Patent 8,942,252 B2)

**UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF
WILLIAM ELLSWORTH DAVIS, III**

Pursuant to Rule 42.10(c), Patent Owner Implicit, LLC (“Implicit”) respectfully requests *pro hac vice* admission of William E. Davis, III as counsel in this proceeding.

I. Time for Filing

This Motion is timely because it is being filed no sooner than twenty one (21) days after service of the Petition in this proceeding, which occurred on March 9, 2018.

II. Statement of Facts

The following statement of facts demonstrates that there is good cause for the Board to recognize William E. Davis, III as counsel *pro hac vice* in this proceeding.

Mr. Davis is an experienced litigation attorney and has an established familiarity with the subject matter at issue in this proceeding. Mr. Davis has been practicing law since 2004 and has extensive experience litigating patent infringement cases in many different District Courts across the country. Among his experience in patent litigation matters, Mr. Davis has been lead counsel in multiple trials, *Markman* hearings, patent summary judgment proceedings, and other patent-related hearings and pleadings concerning, *inter alia*, patent validity and infringement issues.

Mr. Davis is familiar with U.S. Patent Nos. 7,391,791 B2 (“the ’791 Patent”) and 8,942,252 B2 (“the ’252 Patent”). Mr. Davis has been representing Patent Owner Implicit in pending District Court litigation against Petitioner asserting the ’791 and ’252 Patents. Among other things, Mr. Davis has been involved in the infringement, claim construction, and validity issues with regard to the ’791 and ’252 Patents.

III. Declaration of William E. Davis, III

As directed by the Board, this Motion is also accompanied by the Declaration of William E. Davis III in Support of Motion for *Pro Hac Vice* Admission attesting to the requirements laid out in the Board’s Order Authorizing Motion for *Pro Hac Vice* Admission in Case IPR2013-00639 (Paper 7).

For the foregoing reasons as well as the reasons contained in the attached declaration, Implicit respectfully requests admission of William E. Davis III as counsel *pro hac vice*.

Respectfully submitted,

THE DAVIS FIRM, P.C.

By: /Christian Hurt Reg. No. 63,659/
Christian Hurt

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DECLARATION OF WILLIAM ELLSWORTH DAVIS, III IN SUPPORT OF
MOTION FOR PRO HAC VICE ADMISSION

I, William E. Davis, III, being duly sworn and upon oath, hereby attest to the following:

1. I am a member in good standing of the Bar of Texas.
2. I have never been suspended or disbarred from practice before any court or administrative body.
3. I have never been denied an application for admission to practice before any court or administrative body.
4. No sanction or contempt citation has ever been imposed against me by any court or administrative body.
5. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 C.F.R. Part 42.
6. I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
7. I have not appeared *pro hac vice* before the Patent Trial and Appeal Board.
8. I am an experienced litigation attorney and have an established familiarity with the subject matter at issue in this proceeding. I have been practicing law since 2004 and have extensive experience litigating patent infringement cases in

many different District Courts across the country. Among my experience in patent litigation matters, I have been lead counsel and counsel in multiple trials, *Markman* hearings, patent summary judgment proceedings, and other patent-related hearings and pleadings concerning, *inter alia*, patent validity and infringement issues.

9. I am familiar with U.S. Patent Nos. 7,391,791 B2 (“the ’791 Patent”) and 8,942,252 B2 (“the ’252 Patent”). I have been representing Patent Owner Implicit in pending District Court litigation against Petitioner asserting the ’791 and ’252 Patents. Among other things, I have been involved in the infringement, claim construction, and validity issues with regard to the ’791 and ’252 Patents.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of February, 2019, in Longview, Texas.

/s/ William E. Davis, III

William E. Davis, III