

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

CYWEE GROUP LTD.
Patent Owner

Case IPR2018-01257
Patent No. 8,552,978

**PATENT OWNER'S MOTION FOR
PRO HAC VICE ADMISION OF CECIL E. KEY**

Patent Owner CyWee Group Ltd. (“CyWee” or “Patent Owner”) respectfully requests that the Board recognize and admit Cecil E. Key as counsel *pro hac vice* to represent CyWee during the above-captioned proceeding. The bases and support for CyWee’s requests are as follows.

1. Timing of CyWee’s Request

CyWee’s motion is being filed no sooner than twenty-one (21) days after the service of the petition.

2. Good Cause Bases for CyWee’s Request

The Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel is a registered practitioner and a declaration of the party seeking admission is included with the Request. 37 C.F.R. § 42.10(c). Good cause has been shown where, for example, the attorney for which *pro hac vice* admission is sought is an experienced patent litigator and has a familiarity with the subject matter at issue in the proceeding, and the admission of the party’s counsel will facilitate the party’s ability to effectively participate in the proceeding. CyWee respectfully submits that all of these conditions have been met here.

CyWee’s lead counsel, Jay P. Kesan, is a registered practitioner. As demonstrated by his declaration, Mr. Key is an experienced litigator who has litigated patent infringement cases for various parties in federal district courts

throughout the United States and before the Court of Appeals for the Federal Circuit. *Id.* at ¶¶ 3-7. Mr. Key's legal career spans over twenty (20) years. *See Id.* at ¶ 2. Mr. Key has extensive experience in litigating patent infringement cases, and has served as lead counsel in such cases. *Id.* at ¶ 6. Mr. Key has been previously admitted to practice *pro hac vice* before the Board, and participated in trials before the Board. *Id.* at ¶ 11.

Mr. Key has read and is familiar with the patent at issue in this proceeding and its file history, as well as the prior art and other arguments that have been asserted by Petitioner.

CyWee submits that Mr. Key's participation will assist it and its lead counsel in effectively participating in this proceeding, and will facilitate timely completion of the trial proceeding.

Mr. Key has never been suspended, disbarred, sanctioned or cited for contempt by any court or administrative body, and has never had an application for admission to practice before a court or agency denied. *Id.* at ¶¶ 7-8. Mr. Key is a member in good standing of the Bars of Virginia and the District of Columbia. *Id.* at ¶ 2. Mr. Key agrees to be subject to the Office Patent Trial Practice Guide, the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R., and the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*, and submit to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* at ¶¶ 9-10.

3. Conclusion

For the foregoing reasons, CyWee respectfully requests that the PTAB recognize Cecil E. Key as its counsel, *pro hac vice*, in this proceeding.

Respectfully submitted,

Dated: April 5, 2019

/Jay P. Kesan/

Jay P. Kesan

Reg. No. 37,488

Counsel for Patent Owner

CyWee Group Ltd.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on the date indicated below, a complete and entire copy of this submission, including the exhibits hereto, was provided by email to Petitioner's counsel via email, as agreed to by Petitioner's Service Information in the Petition submission, by serving the email address of record as follows:

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