

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HTC CORPORATION, HTC AMERICA, INC.,
and APPLE INC.
Petitioners,

v.

INVT SPE LLC,
Patent Owner

Case No. IPR2018-01555¹
U.S. Patent No. 7,848,439

**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF
MARY PHENG UNDER 37 C.F.R. § 42.10(C)**

¹ Apple Inc., who filed a petition in IPR2019-00958, has been joined as a petitioner in this proceeding

Pursuant to 37 C.F.R. § 42.10(c) and the Notice of Filing Date Accorded to Petition entered on August 29, 2018 (Paper 5) in this proceeding, Patent Owner, INVT SPE LLC, respectfully requests *pro hac vice* admission of Mary Pheng in this proceeding. Patent Owner seeks Ms. Pheng's assistance because of her experience assisting Patent Owner in its parallel litigation and her familiarity with the substantive and technical issues involved in this proceeding.

1. Statement of Facts

Patent Owner's lead counsel in this proceeding, Cyrus A. Morton, is a registered practitioner. Ms. Pheng has over three years of experience as a patent litigation attorney, and has experience in fact and expert discovery, claim construction, and motion practice in patent infringement matters in Federal district court.

Ms. Pheng has established familiarity with the subject matter at issue in this proceeding. U.S. Patent No. 7,848,439 is asserted by Patent Owner in three cases pending in the United States District Court for the District of New Jersey (Civil Action Nos. 2:17-cv-06522-JMV-JBC, 2:17-cv-03738-JMV-JBC, and 2:17-cv-03740-JMV-JBC). Robins Kaplan LLP, and Ms. Pheng, represent Patent Owner in each of these cases. Ms. Pheng is actively involved in all aspects of these cases. Therefore, good cause exists to admit Ms. Pheng *pro hac vice* in this proceeding.

IPR2018-01555
Patent 7,848,439

2. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by the required Declaration of Ms. Pheng.

Dated: October 8, 2019

Respectfully submitted,

/Cyrus A. Morton/
Cyrus A. Morton
Registration No. 44,954
Robins Kaplan LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402
Tel: 612-349-8722
Fax: 612-339-4181
CMorton@RobinsKaplan.com
Attorney for Patent Owner

IPR2018-01555
Patent 7,848,439

CERTIFICATE OF SERVICE

I hereby certify that on this October 8, 2019, a copy of **PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF MARY PHENG UNDER 37 C.F.R. § 42.10(C)** and **DECLARATION OF MARY PHENG IN SUPPORT OF MOTIONS FOR *PRO HAC VICE* ADMISSION** have been served by electronic mail to the Petitioners:

LegalTm-HTC-INVT-IPRs@sheppardmullin.com
ptab@eriseip.com

Dated: October 8, 2019

Respectfully submitted,

/Cyrus A. Morton/

Cyrus A. Morton
Reg. No. 44,954
Robins Kaplan LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402

Attorney for Patent Owner

89319472.1