

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

INVT SPE LLC,  
Patent Owner

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Case No. IPR2018-01581<sup>1</sup>  
U.S. Patent No. 7,848,439

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

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<sup>1</sup> Apple Inc., who filed a petition in IPR2019-00959, has been joined as a petitioner in this proceeding

IPR2018-01581  
Patent 7,848,439

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.

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**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

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**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  
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Dated: October 8, 2019

Respectfully submitted,

*/Cyrus A. Morton/*

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