

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

Panasonic Corporation of North America *et al.*,

*Petitioner*

v.

Cellspin Soft, Inc.

*Patent Owner.*

---

Case IPR2019-00131

Patent 9,258,698

**PETITIONERS' MOTION FOR *PRO HAC VICE*  
ADMISSION OF DAVID MEDINA**

## I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10 (c), Petitioners Panasonic Corporation of North America and Panasonic Corporation (collectively “PANASONIC”) respectfully request the *pro hac vice* admission of David Medina in this proceeding.

## II. RELEVANT RULES AND ORDERS

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.

The Board’s Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper No. 4) states that motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c) “shall be filed in accordance with the ‘Order – Authorizing Motion for *Pro Hac Vice* Admission’ in Case IPR2013-00639, Paper 7” (“*Pro Hac Vice* Order”). In accordance with the *Pro Hac Vice* Order, this

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

The *Pro Hac Vice* Order requires motions to (1) contain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding, and (2) be accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following:

- i. Membership in good standing of the Bar of at least one State or the District of Columbia;
- ii. No suspensions or disbarments from practice before any court or administrative body;
- iii. No application for admission to practice before any court or administrative body ever denied;
- iv. No sanctions or contempt citations imposed by any court or administrative body;
- v. The individual seeking to appear has read and will 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.;
- vi. The individual will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);
- vii. All other proceedings before the Office for which the individual

has applied to appear *pro hac vice* in the last three (3) years;

and

viii. Familiarity with the subject matter at issue in the proceeding.

### III. STATEMENT OF FACTS

Based on the following facts, supported by the Declaration of David Medina submitted herewith, Petitioners request that Mr. Medina be admitted *pro hac vice* in this proceeding.

1. Patent Owner's counsel has indicated that Patent Owner does not oppose this motion.
2. Petitioners' lead counsel, T. Vann Pearce, Jr., is a registered practitioner (Reg. No. 58,945) and a partner at the law firm of Orrick, Herrington & Sutcliffe LLP.
3. Mr. Medina is an associate at the law firm of Orrick, Herrington & Sutcliffe LLP.
4. Mr. Medina is an experienced litigating attorney. Mr. Medina has over four years of experience in intellectual property law, focusing on patent litigation matters, as an associate in Orrick's Intellectual Property Group and as an attorney with Panasonic Corporation.
5. Mr. Medina is familiar with the subject matter at issue in this proceeding. Mr. Medina assisted with the preparation of the petition for *inter partes* review in this matter and has continued to work on

this *inter partes* review proceeding since then, as well as the co-pending district court and Federal Circuit litigation involving the '698 Patent. Over the course of that period, he has become very familiar with the '698 Patent, its file history, and the references asserted as prior art by Panasonic in this IPR proceeding.

6. Mr. Medina is a member in good standing of the State Bar of California.
7. Mr. Medina has never been suspended or disbarred from practice before any court or administrative body.
8. No application of Mr. Medina for admission to practice before any court or administrative body has ever been denied.
9. No sanctions or contempt citations have ever been imposed against Mr. Medina by any court or administrative body.
10. Mr. Medina has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in Part 42 of Section 37 of the C.F.R.
11. Mr. Medina understands that he will be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
12. Mr. Medina has not applied to appear *pro hac vice* in any other proceeding before the Office in the last three (3) years.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.