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Doug G. Muehlhauser (Reg. No. 42,018)  
William H. Shreve (Reg. No. 35,678)  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
2040 Main Street, Fourteenth Floor  
Irvine, CA 92614  
Tel.: (949) 760-0404  
Fax: (949) 760-9502  
E-mail: BoxNomadix@knobbe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GUEST TEK INTERACTIVE ENTERTAINMENT LTD.,  
Petitioner,

v.

NOMADIX, INC.,  
Patent Owner.

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Case IPR2019-00211  
Patent 7,953,857

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**MOTION FOR MARK LEZAMA TO APPEAR  
*PRO HAC VICE* ON BEHALF OF PATENT OWNER NOMADIX**

## **I. STATEMENT OF THE PRECISE RELIEF REQUESTED**

Pursuant to 37 C.F.R. §§ 42.10(c) and 42.22, Patent Owner Nomadix, Inc. (“Nomadix”) hereby moves for an Order allowing Mark Lezama of Knobbe Martens Olson & Bear LLP to appear *pro hac vice* as additional backup counsel on behalf of Nomadix in the above-captioned case. On August 15, 2019, the Board indicated that no authorization was required for this motion.

Patent Owner has conferred with Petitioner concerning the subject matter of this motion. Petitioner has stated that it does not oppose this motion.

## **II. LIST OF EXHIBITS RELIED UPON FOR THIS MOTION**

Nomadix Ex. 2007 - Declaration of Mark Lezama in Support of Motion to Appear *Pro Hac Vice* on Behalf of Nomadix, Inc.

### **A. Reasons the requested relief should be granted**

As set forth below in the Statement of Material Facts, Nomadix has made all of the showings required under 37 C.F.R. § 42.10(c) for recognizing Mr. Lezama *pro hac vice*. In particular, Mr. Lezama is an experienced litigating attorney. Further, Mr. Lezama has an established familiarity with the subject matter at issue in this proceeding. Accordingly, allowing Mr. Lezama to appear *pro hac vice* as additional backup counsel on behalf of Nomadix is appropriate in this proceeding.

## **III. STATEMENT OF MATERIAL FACTS**

1. 37 C.F.R. § 42.10(c) provides that “[t]he 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.”

2. Lead counsel in this *Inter Partes* Review proceeding is Douglas G. Muehlhauser. Mr. Muehlhauser is registered to practice before the United States Patent and Trademark Office and holds Registration No. 42,018.

3. As set forth in the attached Nomadix Exhibit 2003 (the “Lezama Declaration”), Mr. Lezama is an experienced litigating attorney and has an established familiarity with the subject matter at issue in this proceeding. Lezama Decl. ¶ 5. Mr. Lezama has previously been admitted before the Board *pro hac vice* in *Amazon.com, Inc. and Amazon Web Services, LLC v. Personalized Media Communications, LLC*, Case No. IPR2014-01528. *Id.* ¶ 12.

4. In particular, Mr. Lezama is admitted to practice before the United States Court of Appeals for the Federal Circuit, and over the past 12 years, he has represented clients in numerous patent litigations across the United States. He has been closely involved in several patent litigations focusing on computer-network technology.

5. Further, Mr. Lezama holds a Bachelor of Science degree in mathematics from Harvard College. *Id.* ¶ 4.

6. Mr. Lezama 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 37 C.F.R. *Id.* ¶ 10. Mr. Lezama also agrees to be subject to the United States Patent and Trademark Office 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). *Id.* ¶ 11.

7. Finally, Mr. Lezama has attested to the remaining elements of Paragraph 2(b) of the representative “Order – Authorizing Motion for Pro Hac Vice Admission” in Case IPR2013-00639, Paper 7. *Id.* ¶¶ 1-11; see Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper 4) at 2.

#### IV. CONCLUSION

In view of the foregoing, and having satisfied the requirements of 37 C.F.R. § 42.10(c), Nomadix hereby moves for an Order allowing Mark Lezama of Knobbe Martens Olson & Bear LLP to appear *pro hac vice* as additional backup counsel on behalf of Nomadix in the above-captioned case.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 11, 2019

/Doug Muehlhauser/

Douglas G. Muehlhauser (Reg. No. 42,018)

William H. Shreve (Reg. No. 35,678)

Attorneys for Patent Owner  
NOMADIX, INC.

Customer No. 20995  
(949) 760-0404

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