

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FACEBOOK, INC., INSTAGRAM, LLC, and WHATSAPP INC.,  
Petitioners

v.

BLACKBERRY LIMITED,  
Patent Owner

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Case No. IPR2019-00516  
U.S. Patent No. 8,279,173 B2

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**PETITIONERS' MOTION FOR *PRO HAC VICE*  
ADMISSION UNDER 37 C.F.R. § 42.10(c)**

Petitioners Facebook, Inc., Instagram, LLC, and WhatsApp Inc. respectfully request that the Board recognize Mark R. Weinstein, Esq., as counsel *pro hac vice* during this proceeding.

## **I. BACKGROUND**

Petitioners' Motion for *Pro Hac Vice* Admission is being filed in compliance with and pursuant to the "Order-Authorizing Motion for *Pro Hac Vice* Admission" in Case No. IPR2013-00639 (MPT) (the "Order") and the Board's Notice of Filing Date Accorded to Petition etc. filed February 8, 2019 (Paper No. 5).

## **II. STATEMENT OF FACTS**

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Weinstein *pro hac vice*.

Mr. Weinstein is an experienced litigation attorney and has been involved in numerous complex litigations in state and federal courts. Mr. Weinstein's biography is attached hereto as Exhibit 1019 to this Motion.

Mr. Weinstein has reviewed U.S. Patent No. 8,279,173, and the petition already filed in this proceeding. Further, Mr. Weinstein is counsel for Facebook, Inc., Instagram, LLC and WhatsApp Inc. in the pending litigation between the parties involving U.S. Patent No. 8,279,173 before the U.S. District Court for the Central District of California entitled BlackBerry Limited v. Facebook, Inc., et al.,

Case No. 2:18-cv-01844-GW, and, as such, is familiar with the subject matter at issue in this proceeding.

Therefore, Petitioners respectfully submit that there is good cause for the Board to recognize Mr. Weinstein as counsel *pro hac vice* during this proceeding.

### III. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Petitioners' Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Mark R. Weinstein attached hereto as Exhibit 1020 as required by the Order.

Dated: October 16, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify, pursuant to 37 C.F.R. Section 42.6, that a complete copy of the attached **PETITIONERS' MOTION FOR PRO HAC VICE ADMISSION UNDER 37 C.F.R. § 42.10(c)** and related documents, are being served via electronic mail on the 16<sup>th</sup> day of October, 2019, upon the Patent Owner by serving its counsel of record as follows:

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DATED: October 16, 2019

/ Heidi L. Keefe /  
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