

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT &
BMW OF NORTH AMERICA, LLC,**
Petitioners

v.

PAICE LLC & THE ABELL FOUNDATION, INC.
Patent Owners

Inter Partes Review No.: IPR2020-00994

U.S. Patent No. 7,104,347 K2

**MOTION FOR *PRO HAC VICE* ADMISSION OF
JACOB Z. ZAMBRZYCKI UNDER 37 C.F.R. § 42.10**

Petitioners respectfully request that the Board recognize Jacob Z.

Zambrzycki as counsel *pro hac vice* for the above-captioned proceedings in accordance with 37 C.F.R. § 42.10(c). The lead counsel, Jeffrey D. Sanok, is a registered practitioner (Reg. No. 32,169).

Patent Owners have indicated that they do not oppose this motion.

I. Time for Filing

This Motion for *Pro Hac Vice* Admission is being filed no sooner than twenty-one (21) days after service of the Petition, as required by the Order Authorizing Motion for *Pro Hac Vice* Admission referenced in the Notice of Filing Date entered on June 18, 2020.

II. Statement of Facts

As required by the Order Authorizing Motion for *Pro Hac Vice* Admission, the following statement of facts demonstrates good cause for the Board to recognize Mr. Zambrzycki *pro hac vice*. Mr. Zambrzycki is an experienced litigation attorney, and has been involved in numerous litigations involving patent infringement in U.S. District Courts across the country, the U.S. Court of Appeals for the Federal Circuit, and the International Trade Commission. Mr. Zambrzycki has been a litigation attorney for over 10 years, and has represented a wide range of clients in patent litigation matters.

Mr. Zambrzycki is extremely familiar with the subject matter at issue in these proceedings. For instance, Mr. Zambrzycki was involved in preparing the Petition in these proceedings. Throughout this process, Mr. Zambrzycki has gained relevant technical knowledge and experience in the field of electric hybrid vehicles and the various prior art references cited in the Petition.

III. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by the Declaration and biography of Jacob Zambrzycki (Ex. 1059) as required by the Order Authorizing Motion for *Pro Hac Vice* Admission. In this Declaration, Mr. Zambrzycki states compliance with the general requirements for *pro hac vice* admission, including that he is a member in good standing of the Bar of the State of New York and the Bar of the State of California, and is admitted to practice before the U.S. Court of Appeals for the Federal Circuit, and the U.S. District Courts for the Southern District of New York, the Northern District of California, and the Central District of California. Mr. Zambrzycki also states that he has never been suspended, disbarred, sanctioned, or cited for contempt by any court or administrative body; he has never had a court or administrative body deny his application for admission to practice; he 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 Title 37 of the Code of Federal Regulations; he 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). In the past three (3) years, he has applied to appear *pro hac vice* before the Office, and was granted permission to do so, in IPR2017-00981, IPR2017-01263, IPR2017-01533, IPR2017-01866, IPR2019-00569, and IPR2019-00570. In addition, Mr. Zambrzycki states that he has familiarity with the subject matter at issue in these *inter partes* review proceedings.

Accordingly, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Zambrzycki as counsel *pro hac vice* during these proceedings.

Respectfully submitted,

Dated: July 22, 2020

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Zambrzycki *Pro Hac Vice* Motion
U.S. Patent No. 7,104,347

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