

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUALCOMM INCORPORATED

PETITIONER

v.

MONTEREY RESEARCH, LLC

PATENT OWNER

INTER PARTES REVIEW NO. IPR2020-01492
PATENT 6,651,134

**PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION OF BRETT A. MCKEAN UNDER 37 C.F.R. § 42.10(c)**

PETITIONER'S EXHIBIT LIST

Exhibit	Shorthand	Description
1001	'134 Patent	U.S. Patent No. 6,651,134
1002		Omitted
1003		Omitted
1004	'134 File History	Prosecution History of U.S. Patent No. 6,651,134
1005		Omitted
1006	Fujioka	U.S. Patent No. 6,185,149
1007	Tiede	U.S. Patent No. 5,900,021
1008		Omitted
1009	Lysinger	U.S. Patent No. 5,784,331
1010		Omitted
1011	U.S.I.T.C Claim Construction Order	Order 29 Construing Claims, Inv. No. 337-TA-792, U.S.I.T.C (February 9, 2012)
1012	N.D. Cal Claim Construction Order	Order Construing Claims, Cypress Semiconductor Corp. v. GSU Tech., Inc., 13-cv-02013-JST (N.D. Cal.) (July 29, 2014)
1013	Commission Opinion	Commission Opinion, Inv. No. 337-TA-792, U.S.I.T.C. (June 28, 2013)
1014	Lowrey	U.S. Patent No. 5,360,992
1015	Murphy	Declaration of Robert Murphy
1016	Murphy CV	Curriculum Vitae of Robert Murphy
1017	Schaefer	U.S. Patent No. 5,600,605
1018	Cypress Whitepaper	Cypress Semiconductor, Understanding Burst Modes in Synchronous SRAMs (June 30, 1999)

Exhibit	Shorthand	Description
1019	Cypress Response	Complainant Cypress Semiconductor Corporation's Response to Respondents' Petition for Review of the Remand Initial Determination on Validity and Enforceability (April 3, 2013)
1020	Cowles	U.S. Patent No. 5,729,504
1021	CMOS Circuit Design	Baker et al, CMOS Circuit Design, Layout, and Simulation (First Ed. 1998)
1022	Monterey FAC	First Amended Complaint in <i>Monterey Research, LLC v. Qualcomm Incorporated, et. al</i> , No. 19-cv-2083-CFC (D. Del. Feb. 14, 2020)
1023	IPR2020-00985	Petition for <i>Inter Partes</i> Review, IPR2020-00985, Paper 1, filed May 26, 2020.
1024	QC Original Complaint	Original Complaint in <i>Monterey Research, LLC v. Qualcomm Incorporated, et. al</i> , No. 19-cv-2083-CFC (D. Del. Nov. 1, 2019)
1025	QC Summons	Returned Summons in <i>Monterey Research, LLC v. Qualcomm Incorporated, et. al</i> , No. 19-cv-2083-CFC (D. Del. Nov. 4, 2019)
1026	AMD Original Complaint	Original Complaint in <i>Monterey Research, LLC v. Advanced Micro Devices, Inc.</i> , No. 19-cv-2149-CFC (D. Del. Nov. 15, 2019)
1027	AMD Summons	Returned Summons in <i>Monterey Research, LLC v. Advanced Micro Devices, Inc.</i> , No. 19-cv-2149-CFC (D. Del. Nov. 18, 2019)
1028	McKean Declaration	Declaration for Pro Hac Vice Admission of Brett A. McKean Under 37 C.F.R. § 42.10(c)

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) and Paper No. 5 authorizing the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Petitioner Qualcomm Incorporated (“Petitioner”) respectfully requests that the Patent Trial and Appeal Board (the “Board”) admit Brett A. McKean *pro hac vice* in this proceeding, IPR2020-01492.

II. STATEMENT OF FACTS

In accordance with 37 C.F.R. § 42.10(c), 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. Section 42.10(c) indicates that “where 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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Brett A. McKean *pro hac vice* in this proceeding.

Based on the following statement of facts, and supported by the Declaration of Brett A. McKean submitted herewith (Exhibit 1028), Petitioner submits that a showing of good cause has been made and respectfully requests the *pro hac vice* admission of Brett A. McKean in this proceeding:

1. Petitioner's Lead Counsel, Eagle H. Robinson, is a registered practitioner (Reg. No. 61,361). First Back-up Counsel, Daniel S. Leventhal, is also a registered practitioner (Reg. No. 59,576) and Back-up Counsel, Richard S. Zembek, is also a registered practitioner (Reg. No. 43,306).
2. Mr. McKean is an attorney at the law firm of Norton Rose Fulbright US LLP. EX1028 ¶ 3.
3. Mr. McKean is a litigating attorney and has been litigating cases relating to patents for over 10 years. *Id.* ¶ 4.
4. Mr. McKean is a member in good standing of the Texas State Bar, and has never been suspended or disbarred from practice before any court or administrative body. *Id.* ¶ 5.
5. No application filed by Mr. McKean for admission to practice before any court or administrative body has ever been denied. *Id.* ¶ 6.
6. No sanctions or contempt citations have been imposed against Mr. McKean by any court or administrative body. *Id.* ¶ 7.
7. Mr. McKean has read and agrees to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations. *Id.* ¶ 8.

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