

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

KOSS CORPORATION,
Patent Owner.

Case IPR2021-00255
Patent 10,298,451

**PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION
OF MICHAEL PIEJA
UNDER 37 C.F.R. § 42.10(c)**

Pursuant to 37 C.F.R. § 42.10(c), the Petitioner, Apple Inc. (“Apple”) respectfully requests that the Board recognize Michael Pieja as counsel *pro hac vice* in this proceeding. Apple seeks the counsel of Michael Pieja due to his experience in representing Apple Inc. in other patent-related matters and particularly due to his familiarity with the substantive and technical issues involved in this proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on December 8, 2020.

I. Statement of Facts

Michael Pieja is a patent litigation attorney with more than 15 years of experience representing clients in cases involving consumer electronics, computer software, and semiconductors. Mr. Pieja regularly litigates patent cases before various Federal District Courts, and the International Trade Commission. Through his practice in such cases, Mr. Pieja has gained substantial experience in trials, discovery, Markman hearings, and appeals. Mr. Pieja is currently a partner at Goldman Ismail Tomaselli Brennan & Baum LLP, focusing on litigation, including patent litigation. Apple provides Exhibit A, as evidence, Mr. Pieja’s biography.

Michael Pieja also has particular experience and familiarity with the substantive and technical issues involved in this inter partes review proceeding and other inter partes review proceedings challenging other patents that have been asserted against Apple in *KOSS Corporation v. Apple Inc.*, 6:2020cv00665 (W.D.Tex.) (IPR2021-00305 and IPR2021-00381). For instance, Mr. Pieja serves as trial counsel for Apple in the litigation referenced above that involves these patents has, as a result, gained familiarity with the patents and prior art references at issue. Apple has invested significant financial resources in each of these proceedings, and Mr. Pieja will be taking a leading role with respect to the patent that is the subject of the present proceeding. Moreover, through his representation in the IPR proceedings, Apple has developed a particular relationship with Mr. Pieja such that Apple desires to continue the relationship with Mr. Pieja for the purpose of this proceeding.

II. Affidavit of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Michael Pieja. Accordingly, Apple submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Michael Pieja as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Date: 12/10/2021

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on December 10, 2021, a complete and entire copy of this Petitioner's Motion for *Pro Hac Vice* Admission of Michael Pieja, and its exhibit, were provided via email, to the Patent Owner by serving the correspondence addresses of record as follows:

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