

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

KOSS CORPORATION,
Patent Owner.

Case IPR2021-00600
Patent 10,298,451

**PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION
OF SETH M. SPROUL
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 Seth M. Sproul as counsel *pro hac vice* in this proceeding. Apple seeks the counsel of Seth M. Sproul 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 March 16, 2021.

I. Statement of Facts

Seth M. Sproul is a patent litigation attorney with more than 20 years of experience representing clients in cases involving computer networking, computer software, semiconductors, and medical devices. Mr. Sproul regularly litigates patent cases before various Federal District Courts, and the International Trade Commission. Through his practice in such cases, Mr. Sproul has gained substantial experience in jury trials, bench trials, discovery, Markman hearings, and appeals. Mr. Sproul has spent his entire career at Fish & Richardson P.C., focusing on patent litigation and patent issues. Apple provides Exhibit A, as evidence, Mr. Sproul’s biography.

Seth M. Sproul 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, IPR2021-00381, IPR2021-00592, IPR2021-00255). Apple has invested significant financial resources in each of these proceedings, and Mr. Sproul 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. Sproul such that Apple desires to continue the relationship with Mr. Sproul 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 Seth M. Sproul. Accordingly, Apple submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Seth M. Sproul as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Date: 11/2/2021

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on November 2, 2021, a complete and entire copy of this Petitioner's Motion for *Pro Hac Vice* Admission of Seth M. Sproul, and its exhibit, were provided via email, to the Patent Owner by serving the correspondence addresses of record as follows:

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