

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioners,

v.

LOGANTREE LP  
Patent Owner

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Case IPR2022-00040  
Patent 6,059,576

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**PATENT OWNER'S UNOPPOSED MOTION FOR ADMISSION *PRO HAC*  
*VICE* OF JASON MCMANIS**

## I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.10 and the Board’s “Order Authorizing Motion for *Pro Hac Vice* Admission – 37 C.F.R. §42.10,” entered December 5, 2012, Patent Owner LoganTree, LP, requests that the Board admit Jason McManis *pro hac vice* in this proceeding.

## II. STATEMENT OF FACTS

Pursuant to 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. For example, where the 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 showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

37 C.F.R. §42.10(c). The facts, supported by the attached Declaration of Jason McManis in Support of Motion for Admission *Pro Hac Vice* (“McManis Decl.”), establish good cause to admit Mr. McManis *pro hac vice* in this proceeding.

1. Lead counsel David Warden is a registered practitioner and is experienced in proceedings before the Board.

2. Mr. McManis is an experienced litigating attorney who has been practicing for more than 9 years. (McManis Decl. ¶ 1.) Mr. McManis has been litigating patent cases for at least 9 years. (Id. ¶ 2.) Mr. McManis is a member in good standing of the Texas State Bar, with no suspensions or disbarments from practice, nor any application for admission to practice denied, and is admitted to practice before several district courts around the country. (Id. ¶ 3-4.)

3. Mr. McManis has familiarity with the subject matter at issue in this proceeding based on his work as counsel in the pending district court cases *LoganTree LP, vs. Garmin International, Inc., and Garmin USA, Inc.*, Case No. 6:17-cv-01217 (D. Kan.), *LoganTree LP, vs.*

*Apple, Inc.*, Case No. 3:22-cv-02892 (N.D. Cal.) and *LoganTree LP v. Fossil Group, Inc.*, Case No. 21-385 (D. Del.), all of which involve the same patent at issue in this proceeding. (Id. ¶ 5.) Mr. McManis has been actively involved in all aspects of these district court cases, including the issue of validity of the patent-in-suit. (Id. ¶ 6.)

4. Mr. McManis has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of the C.F.R., and he agrees to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§10.20 et seq., and to disciplinary jurisdiction under 37 C.F.R. §11.19(a). (Id. ¶ 7-8.) Mr. McManis has not applied to appear *pro hac vice* in any other proceedings before the Office in the last three (3) years. (Id. ¶ 9.)

### III. ANALYSIS

The facts contained in the Statement of Facts above, and contained in the McManis Declaration, establish that there is a good cause to admit Mr. McManis *pro hac vice* in this proceeding under 37 C.F.R. §42.10. Lead counsel is a registered practitioner, Mr. McManis is an experienced litigating attorney, and Mr. McManis has an established familiarity with the subject matter at issue in the proceeding.

### IV. CONCLUSION

For the foregoing reasons, Patent Owner LoganTree, LP, respectfully request that the Board admit Jason McManis *pro hac vice* in this proceeding.

Dated: October 3, 2022

Respectfully Submitted,

By: /s/ David E. Warden

David E. Warden

Reg. No. 35,733

Attorney for Patent Owner

LoganTree LP

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**CERTIFICATE OF CONFERENCE**

I hereby certify that on September 12, 2022, counsel for Patent Owner conferred via e-mail with counsel for the Petitioner regarding the Motion. Based on that conference, the relief requested herein is unopposed.

/s/ Jason McManis

Jason McManis

**CERTIFICATE OF SERVICE**

I hereby certify that LoganTree LP's Mandatory Notices Under 37 C.F.R. 42.8(a)(2) were served on October 3, 2022, by electronic mail to the following:

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Respectfully Submitted,

By: /s/ David E. Warden

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