

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CPC PATENT TECHNOLOGIES PTY LTD.,
Patent Owner.

CASE: IPR2022-00601
U.S. PATENT NO. 9,269,208

**PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION OF JONAH HEEMSTRA**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10, Patent Owner CPC Patent Technologies PTY Ltd. (“CPC” or “Patent Owner”), respectfully requests that the Board recognize Jonah Heemstra as counsel *pro hac vice* during this proceeding.

II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL *PRO HAC VICE* DURING THE PROCEEDING

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding, subject to the conditions set forth therein, and any others that the Board may impose. Patent Owner sets forth the following facts in support of this motion:

1. Patent Owner’s lead counsel, Darlene F. Ghavimi-Alagha (Reg. No. 72,631) is a registered practitioner before the Board.
2. Mr. Heemstra is an intellectual property litigation attorney at K&L Gates LLP and has an established familiarity with the subject matter at issue in this proceeding. Mr. Heemstra has gained experience conducting technical infringement and validity analyses, briefing claim construction issues, and preparing for *Markman* hearings. (Ex. 2008, ¶ 1).

3. Mr. Heemstra is a member in good standing of the Bar of the State of Illinois. (*Id.*, ¶ 2). He is also admitted to practice before the District Courts for the Northern and Central Districts of Illinois. (*Id.*).
4. Mr. Heemstra has never been suspended or disbarred from practice before any court or administrative body. (*Id.*, ¶ 3). Mr. Heemstra has never had an application for admission to practice before any court or administrative body denied. (*Id.*, ¶ 4). Nor has any court or administrative body imposed sanctions or contempt citations against him. (*Id.*).
5. Mr. Heemstra 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 37 C.F.R. (*Id.*, ¶ 5).
6. Mr. Heemstra agrees to be subject to the United States Patent and Trademark Office's 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). (*Id.*, ¶ 6).
7. Mr. Heemstra has established familiarity with the subject matter at issue in this proceeding through participation in the district court action captioned *CPC Patent Technologies PTY Ltd. v. Apple Inc.*, Case No. 6:21-cv-00165-ADA (W.D. Tex.), which involves U.S. Patent No.

9,269,208. Mr. Heemstra is familiar with the subject patent and all prior art references and alleged grounds of invalidity relied upon by Petitioner in this proceeding. (*Id.*, ¶ 8).

III. GOOD CAUSE EXISTS FOR THE *PRO HAC VICE* ADMISSION OF MR. HEEMSTRA IN THIS PROCEEDING

The Board may recognize counsel *pro hac vice* 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. 37 C.F.R. § 42.10(c).

The facts outlined above in the Statement of Facts, and contained in the Declaration of Jonah Heemstra (Ex. 2008), establish that there is good cause to admit Mr. Heemstra *pro hac vice* in this proceeding. Patent Owner's lead counsel, Darlene Ghavimi-Alagha, is a registered practitioner. Mr. Heemstra is familiar with the subject matter in this proceeding and is actively involved with the strategy and fact development in this matter.

Therefore, Patent Owner respectfully submits that there is good cause for the Board to recognize Mr. Heemstra as counsel *pro hac vice* in this proceeding.

IV. NO OPPOSITION TO MOTION

Patent Owner has confirmed with Petitioner that Petitioner does not oppose the present motion.

V. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Mr. Heemstra *pro hac vice* in this proceeding.

Respectfully submitted,

Dated: October 31, 2022

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