

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DELTA AIR LINES, INC., FRONTIER AIRLINES, INC., UNITED AIRLINES,
INC., US AIRWAYS, INC., AND AMERICAN AIRLINES, INC.
Petitioners

v.

LOYALTY CONVERSION SYSTEMS CORPORATION
Patent Owner

Case CBM: CBM2014-00096
Patent 8,511,550¹

**PETITIONERS' MOTION FOR *PRO HAC VICE* ADMISSION OF
STEPHEN E. BASKIN UNDER 37 C.F.R. § 42.10**

Before GRACE KARAFFA OBERMANN, JOB B. TORNQUIST, and TINA E.
HULSE, *Administrative Patent Judges*

Mail Stop: Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹Petitioners respectfully acknowledged and appreciate PTAB's authorization to use consolidate headings when filing identical papers in CBM2014-00095 and CBM2014-00096. Petitioners are using separate headings because the instant filings are substantially similar, not identical.

Pursuant to 37 C.F.R. § 42.10, in response to the authorization provided by the United States Patent and Trademark Office’s Patent Trial and Appeal Board (“Board”) in the “Notice of Filing Date Accorded to Petition” (Paper Number 3, dated April 1, 2014, referred to herein after as “Notice”) to file this motion for *pro hac vice* motion admission and in accordance with “Order – Authorizing Motion for *Pro Hac Vice* Admission” in Case IPR2013-00639, Paper 7², Petitioners Delta Air Lines, Inc. (“Delta”), Frontier Airlines, Inc. (“Frontier”), United Airlines, Inc. (“United”), US Airways, Inc. (US Airways), and American Airlines, Inc. (“American”) (collectively, “Petitioners”) submit this motion for Stephen E. Baskin to appear *pro hac vice*. Further, pursuant to the “Order Denying Without Prejudice Petitioners’ Motion for *Pro Hac Vice* Admission” (Paper Number 26, dated July 14, 2014), Petitioners submit herewith an affidavit from Mr. Baskin correctly referring to 37 C.F.R. §§ 11.101 *et seq*, which took effect on May 3, 2013. (Exhibit 1018). Accordingly, Petitioners respectfully requests the Board to recognize Mr. Baskin *pro hac vice* admission during this proceeding.

² As referenced in page 3 of the Notice.

I. TIME FOR FILING

Pursuant to the “Order – Authorizing Motion *for Pro Hac Vice* Admission” in Case IPR2013-00639, this motion for *pro hac vice* admission is being filed no sooner than twenty-one (21) days after service of the petition.

II. STATEMENT OF FACTS

Pursuant to the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Baskin *pro hac vice*.

Lead counsel for this proceeding, Saqib Siddiqui, is a registered practitioner (Reg. No. 68,626).

Mr. Baskin is an experienced litigation attorney, having litigated approximately 30 patent infringement cases in District Courts across the country. He has experience in various aspects of patent infringement matters including jury and bench trials, *Markman* hearings, and summary judgment hearings.

Mr. Baskin is counsel for the Petitioners in a co-pending litigation, *Loyalty Conversion Systems Corp. v. American Airlines, Inc., et. al.*, No. 2:13-cv-655-JRG, pending in the United States District Court for the Eastern District of Texas. This litigation involves U.S. Patent No. 8,511,550, the same patent that is at issue in this proceeding. During the co-pending litigation, Mr. Baskin has reviewed the asserted patent, prior art references, claim charts, and argued multiple motions including a Motion for Judgment on the Pleadings related to the validity of claims

of U.S. Patent No. 8,511,550 under 35 U.S.C. 101. As such, Mr. Baskin has established familiarity with the subject matter at issue in this proceeding.

Petitioners have expended significant financial resources in the co-pending litigation with Mr. Baskin as counsel, and Petitioner wishes to continue using Mr. Baskin in this proceeding.

As such, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Baskin as counsel *pro hac vice* during this proceeding.

III. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This Motion for *pro hac vice* admission is accompanied by a Declaration of Mr. Baskin. (Exhibit 1018).

Date: July 23, 2014

/Saqib J. Siddiqui/
Saqib J. Siddiqui
Registration No. 68,626
Mayer Brown, LLP
1999 K Street N.W.
Washington, DC 20006-1101
Telephone: (202) 263-3167
Fax: (202) 263-5367
Email: ssiddiqui@mayerbrown.com

CERTIFICATE OF SERVICE (37 C.F.R. §§ 42.6(e), 42.105(a))

The undersigned hereby certifies that the above-captioned “Petitioners’ Motion for *Pro Hac Vice* Admission of Stephen E. Baskin Under 37 C.F.R. § 42.10 ” and Affidavit of Mr. Stephen E. Baskin (Exhibit 1018) were served in its entirety on July 23, 2014, upon the attorneys of record for the patent at the following addresses via email:

Richard Neifeld
Reg. No. 35,299
Neifeld IP Law, PC
4813-B Eisenhower Avenue
Alexandria, VA 22304
Tel: 1-703-415-0012 Ext. 100
Fax: 1-703-415-0013
Email: Rneifeld@neifeld.com

Scott M. Garrett
Reg. No. 39,955
Patents On Demand, P.A.
4581 Weston Road, Ste. 345
Weston, FL 33331
Tel: 1-305-791-0587
Fax: 1-800-707-8165
Email:
scott.garrett@patentsondemand.com

Respectfully submitted,
/Saqib J. Siddiqui /
Saqib J. Siddiqui
Registration No. 68,626
Mayer Brown, LLP
1999 K Street N.W.
Washington, DC 20006-1101
Telephone: (202) 263-3167
Fax: (202) 263-5367
Email: ssiddiqui@mayerbrown.com