

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DealerSocket, Inc.
Petitioner

v.

AutoAlert, LLC
Patent Owner

Case CBM2014-00139
Patent 8,396,791

Before Breck A. Reitter, *Trial Paralegal*.

**PETITIONER'S MOTION FOR *PRO HAC VICE*
ADMISSION OF L. REX SEARS**

Pursuant to 37 C.F.R. § 42.10 and the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, dated June 4, 2014 (Paper 3), petitioner DealerSocket, Inc., requests that the Board admit L. Rex Sears *pro hac vice* in this proceeding.

The facts recited below and in the accompanying Declaration of L. Rex Sears in Support of Motion for Admission *Pro Hac Vice* ("Declaration") establish good cause for the Board to recognize L. Rex Sears *pro hac vice* during this proceeding:

1. Lead counsel, Richard D. Gilmore, is a registered practitioner, assigned Registration No. 37,335.

2. As shown by the Declaration, Mr. Sears, who would serve as backup counsel if admitted *pro hac vice*, is an experienced patent litigator and has an established familiarity with the subject matter at issue in the proceeding.

3. For example, in the Declaration, Mr. Sears states, *inter alia*: “I am and have continuously been a member in good standing of the Utah State Bar since October 19, 1999, and the California State Bar since December 6, 2013. I am admitted to practice in the United States District Courts for the District of Utah and the Central District of California; the United States Courts of Appeal for the Federal, Ninth, and Tenth Circuits; and the United States Court of Claims.” Dec. at ¶ 2. He also states that he is familiar with the subject matter at issue in this proceeding—being counsel of record for DealerSocket in *AutoAlert, Inc. v. Dealersocket, Inc.*, Case No. SAC 12-1661 (C.D. Cal.), in which AutoAlert asserts the patent at issue in this proceeding, U.S. Patent No. 8,396,791. *Id.* at ¶ 10.

For the foregoing reasons, Dealersocket, Inc., respectfully requests that the Board admit L. Rex Sears *pro hac vice* in this proceeding.

Respectfully submitted,

/s/ Richard C. Gilmore

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Dated: October 16, 2014

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION OF L. REX SEARS, was served on October 16, 2014, via E-mail on the attorneys of record for AutoAlert in the Civil Action and to the official correspondence address for the '791 patent shown in PAIR, as follows:

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