

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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HENKEL CORPORATION  
Petitioner

v.

H.B. FULLER COMPANY  
Patent Owner

Patent No. 6,833,404  
Filing Date: APRIL 27, 1999  
Issue Date: DECEMBER 21, 2004  
Title: HOT MELTS UTILIZING A HIGH GLASS TRANSITION  
TEMPERATURE SUBSTANTIALLY ALIPHATIC TACKIFYING RESIN

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*INTER PARTES* REVIEW NO. IPR2014-00606

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**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION  
OF TIMOTHY E. GRIMSRUD**

**I. Statement of Precise Relief Requested**

Pursuant to 37 C.F.R. § 42.10(c) and Paper No. 3 authorizing the patent owner to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), H.B. Fuller Company, requests that the Patent Trial and Appeal Board (the “Board”) admit Timothy E. Grimsrud *pro hac vice* in this proceeding, IPR2014-00606.

This motion is being filed no sooner than twenty one (21) days after service of the petition.

**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 upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions the Board may impose. Section 42.10(c) indicates that “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.” The facts here establish good cause for the Board to recognize Timothy E. Grimsrud *pro hac vice* in this proceeding.

1. Lead counsel, Walter C. Linder, is a registered practitioner.
2. Counsel, Timothy E. Grimsrud, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion as Exhibit 2001 is the Declaration of Timothy E. Grimsrud in Support of Motion for *Pro Hac Vice* Admission (“Grimsrud Decl.”). In his declaration, Mr. Grimsrud asserts:

“I am a member in good standing of the Bar of Minnesota as well as the following Federal Courts:

- (a) U. S. District Court for the District of Minnesota (10/12/2005);
- (b) U.S. Court of Appeals for the Federal Circuit (04/07/2005); and
- (c) U.S. District Court for Eastern District of Wisconsin (04/21/2008).” (Grimsrud Decl., ¶ 2).

Mr. Grimsrud also asserts:

“I have been in private practice for 9 years, during which time I have been continuously litigating patent cases. I am familiar with the subject matter at issue in this proceeding. I am trial counsel for the Patent Owner in the matter *H.B. Fuller Company vs. Henkel Corporation*, No.0:13-cv-02980 (filed on October 30, 2013), which is related to and involves the same patent at issue in this proceeding. (Grimsrud Decl., ¶¶ 9-10).

3. In his declaration, Mr. Grimsrud also attests to each of the listed items required by the "Order – Authorizing Motion for *Pro Hac Vice* Admission" in Case IPR2013-00639, Paper 7. (*See* Grimsrud Decl., ¶¶ 1-11).

### **III. Conclusion**

For the foregoing reasons, Petitioners respectfully request that the Board admit Timothy E. Grimsrud *pro hac vice* in this proceeding.

Respectfully submitted,

/Walter Linder/

Walter C. Linder

Reg. No. 31,707

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Lead Counsel for Petitioner

Dated: September 12, 2014

### **CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, I hereby certify that I caused a true and correct copy of the Patent Owner's Motion for *Pro Hac Vice* Admission of Timothy E. Grimsrud, and associated Exhibit 2001, to be served via electronic mail on the following:

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Dated: September 12, 2014

By: /Walter Linder/  
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