

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCEDES-BENZ USA, LLC and
MERCEDES-BENZ U.S. INTERNATIONAL, INC.
Petitioners,

v.

INNOVATIVE DISPLAY TECHNOLOGIES LLC,
Patent Owner

Inter Partes Review of U.S. Patent No. 6,755,547
Case No. IPR2015-00361

**MOTION FOR *PRO HAC VICE* ADMISSION OF
JONATHAN R. DEFOSSE PURSUANT TO 37 C.F.R. § 42.10(c)**

Pursuant to the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (the “Notice”) dated December 30, 2014, Petitioners Mercedes-Benz USA, LLC and Mercedes-Benz U.S. International, Inc. respectfully request the *pro hac vice* admission of Jonathan R. DeFosse as backup counsel for Petitioner in the above-captioned proceeding.

1. Time for Filing

Pursuant to the Notice and the Representative Order in Case IPR2013 00639, Paper 7 (the “Representative Order”), this motion is filed no sooner than twenty-one (21) days after service of the petition. The petition was served on December 4, 2014; thus the earliest permissible filing date for this motion was December 25, 2014.

2. Content of Motion

a. Statement of Facts

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

Mr. DeFosse is a litigation attorney experienced in patent cases, and is admitted to practice law in Virginia and the District of Columbia, as well as before several United States District Courts and Courts of Appeal.

Mr. DeFosse has an established familiarity with the subject matter at issue in this proceeding, as he represents Petitioners as defendants in the related proceeding *Innovative Display Technologies, LLC v. Mercedes-Benz U.S. Int’l, Inc., et al.*, No. 2:14-cv-00535 (E.D. Tex.). In this related proceeding, Patent Owner has asserted against Petitioners the following patents (among others): U.S. Patent No. 7,384,177; U.S. Patent No. 7,300,194; U.S. Patent No. 6,755,547; U.S. Patent No. 7,404,660; U.S. Patent No. 8,215,816; U.S. Patent No. 7,434,974. Mr. DeFosse’s experience representing Petitioner in this related proceeding, concerning the same patents against the same Patent Owner, provides him with an established familiarity with the subject matter at issue in the current proceeding.

Petitioners therefore respectfully submit that there is good cause for the Board to recognize Mr. DeFosse *pro hac vice* during the current proceedings.

3. Declaration

Pursuant to the Representative Order, a declaration of Jonathan R. DeFosse is submitted as Exhibit 1022 to this motion.

Dated: March 6, 2015

/s/ Scott W. Doyle
Scott W. Doyle (Reg. No. 39176)
Lead Counsel for Petitioners
SHEARMAN & STERLING LLP
801 Pennsylvania Ave. NW, Ste. 900
Washington, DC 20004
Telephone (202) 508-8000
Facsimile: (202) 508-8100
Scott.Doyle@shearman.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 6, 2015, the foregoing
**MOTION FOR PRO HAC VICE ADMISSION OF JONATHAN R.
DEFOSSE**, along with the associated Exhibit 1022 and Petitioner's Exhibit List,
were served via electronic mail upon counsel for the Patent Owner:

Justin B. Kimble
Jeffrey R. Bragalone
Bragalone Conroy PC
2200 Ross Avenue
Suite 4500 – West
Dallas, TX 75201
jkimble@bcpc-law.com
jbragalone@bcpc-law.com

Dated March 6, 2015

/s/ Scott W. Doyle
Scott W. Doyle (Reg. No. 39176)
Lead Counsel for Petitioners
SHEARMAN & STERLING LLP
801 Pennsylvania Ave., NW,
Ste. 900
Washington, DC 20004
Telephone: (202) 508-8000
Facsimile: (202) 508-8100
scott.doyle@shearman.com