

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC., DROPCAM, INC., AND NEST LABS, INC.

Petitioners

v.

E.DIGITAL CORPORATION
Patent Owner

Case No. IPR2015-01473
U.S. Patent No. 8,311,523

**MOTION FOR *PRO HAC VICE* ADMISSION
OF
ANTON NASRI HANDAL
UNDER 37 C.F.R. §42.10**

On March 15, 2016, a conference call was held with the above judicial panel assigned to this case, the undersigned counsel for Patent Owner, and counsel for Petitioner, during which the panel authorized Patent Owner to file the present motion. The Patent Owner respectfully requests that the Board recognize Anton Nasri Handal as counsel *pro hac vice* during this proceeding.

Mr. Handal has served as litigation counsel for the Patent Owner e.Digital Corporation for nearly four years. He is an experienced litigation attorney and has been and is actively involved in patent infringement lawsuits involving the patent-at-issue. His role would be that of back-up counsel together with the Patent Owner's counsel of record, the undersigned, Robert E. Purcell. Mr. Handal is familiar with the relevant technology, the products-at-issue, and the patent-at-issue and has obtained first-hand knowledge of related proceedings involving the patent-at-issue as lead litigation counsel for the patent owner for over a year-and-a-half, including a deep familiarity with the file history, claim construction issues, and validity issues.

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

This Motion for *Pro Hac Vice* Admission is accompanied by the attached Declaration of Anton Nasri Handal.

U.S. Patent No. 8,311,523 Petition for *Inter Partes* Review

Dated: March 16, 2016

Respectfully submitted,

/Robert E. Purcell/

Robert E. Purcell

Registration No. 28,532

Counsel for Petitioner

THE LAW OFFICE OF ROBERT E.
PURCELL, PLLC

211 West Jefferson Street

Suite 24

Syracuse, New York 13202

(315) 671-0710

**DECLARATION OF ANTON NASRI HANDAL IN SUPPORT OF MOTION
FOR PRO HAC VICE ADMISSION**

I, Anton Nasri Handal, upon oath, hereby attest to the following:

1. I am a member of good standing of the State Bar of California as well as the following federal courts:

a) U.S. District Court for the Southern District of California (June 15, 1984);

b) U.S. District Court for the Northern District of California (October 19, 2005);

c) U.S. District Court for the Central District of California (October 12, 1989);

d) United States Court of Appeals for the Federal Circuit (November 2, 2007); and,

e) United States Supreme Court (December 1, 2008).

2. I have not been suspended or disbarred from practice before any court or administrative body.

3. I have never had an application for admission to practice before any court or administrative body denied.

4. No sanction or contempt citation has been imposed against me by any court or administrative body.

5. I have 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 the C.P.R.;

6. I will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101, *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. I have been granted admission to appear *pro hac vice* on behalf of e.Digital Corporation before the Office in two other, recent proceedings involving different patents in the last three (3) years, Case No. IPR2015-00519 and IPR2015-01120.

8. I am an experienced litigation attorney, both as lead counsel and as an active participant in patent infringement lawsuits as trial counsel. I have been the patent litigation counsel for the patent owner e.Digital Corporation for nearly four years and am familiar with the technology, file history, patent claims, and products relevant to the Petition in this *inter partes* review proceeding and have kept abreast of related proceedings involving the patent-at-issue, U.S. Patent No. 8,311,523, for over one-and-a-half years. I intend to serve as back-up counsel in this *inter partes* review along with Robert E. Purcell.

I declare under penalty of perjury that the foregoing is true and correct.

HANDAL & ASSOCIATES

Dated: March 15, 2016

By:


Anton N. Handal

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **MOTION FOR *PRO HAC VICE* ADMISSION OF ANTON NASRI HANDAL UNDER 37 C.F.R. §42.10**, was served in its entirety on March 16, 2016, by sending a copy by FedEx overnight directed to the attorneys of record for the Petitioner at the following address:

Michael V. Messinger
Michelle K. Holoubek
STERNE, KESSLER, GOLDSTEIN & FOX
PLLC
1100 New York Avenue, N.W.
Washington, D.C. 20005
Tel.: 202.371.2600
Fax: 202.371.2540
Attorneys for Petitioners
and electronically mikem-PTAB@skgf.com and,
mholoubek-PTAB@skgf.com

/s/Allison Collins
Allison Collins