

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HULU, LLC,
AMAZON.COM, INC., and
NETFLIX, INC.,
Petitioners,

v.

REALTIME ADAPTIVE STREAMING LLC,
Patent Owner.

Case IPR2018-01187
Patent No. 9,769,477

**MOTION FOR ADMISSION *PRO HAC VICE* OF
KAYVAN B. NOROOZI**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Realtime Adaptive Streaming LLC (“Realtime”) respectfully requests that the Patent Trial and Appeal Board admit Kayvan B. Noroozi *pro hac vice* in this proceeding. Patent Owner has conferred with counsel for Petitioner Netflix, Inc., and Petitioner does not oppose Realtime’s motion to allow Mr. Noroozi to appear *pro hac vice* in this matter.

II. GOVERNING LAW, RULES, AND PRECEDENT

Section 42.10(c) provides that “where 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 a showing that counsel is an experienced litigating attorney and has established familiarity with the subject matter at issue in the proceeding.”

III. STATEMENT OF FACTS

The facts here satisfy § 42.10(c) and demonstrate good cause for the Board to recognize Mr. Noroozi *pro hac vice* in this proceeding.

Lead counsel, William Rothwell, is a registered practitioner. Counsel, Kayvan B. Noroozi, is an experienced patent litigator in good standing with the California State Bar, admitted to practice before the United States District Courts for the Eastern District of Texas and Northern District of

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California, and has never been suspended, disbarred, sanctioned, cited for contempt of court, or had a court or administrative body deny his application for admission to practice. Ex. 2001 ¶¶ 1-5. Mr. Noroozi's declaration includes a list of the proceedings before the Office in which he has applied to appear *pro hac vice* in the last three years. *Id.* at ¶ 7. Mr. Noroozi has 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 title 37 of the Code of Federal Regulations. *Id.* at ¶ 11. Mr. Noroozi understands and accepts that he will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* at ¶ 12. Mr. Noroozi has previously represented Realtime Data LLC, the sole owner of Realtime Adaptive Streaming LLC, in numerous *inter partes* review proceedings and has become familiar with the company's patent portfolio and the prior art. *Id.* at ¶ 8. He has also represented Realtime Adaptive Streaming LLC in IPR2018-00883. *Id.* Mr. Noroozi is also familiar with the subject matter at issue in this proceeding through his review and analysis of the underlying patent, Petition, Petitioner's supporting submissions, and prior art of record, his participation in preparing Patent Owner's Preliminary Response, and his advice to Patent Owner regarding the merits of the Petition. *Id.* at ¶ 9. In addition, Realtime

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Adaptive Streaming LLC has selected Mr. Noroozi to serve as its counsel in this proceeding and presents this motion for *pro hac vice* on that basis. *Id.* at.

¶ 10.

IV. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Kayvan B. Noroozi *pro hac vice* in this proceeding.

Respectfully submitted,

/s/ William P. Rothwell

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Counsel for Patent Owner

Date: October 31, 2018

CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing **MOTION FOR ADMISSION PRO HAC VICE OF KAYVAN B. NOROOZI** was served electronically via e-mail on October 31, 2018, on the following counsel of record for Petitioner Netflix, Inc.:

Harper Batts (Lead Counsel)	HBatts@sheppardmullin.com
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