

Petitioner's Motion for Admission *Pro Hac Vice* of Gregory H. Lantier

DOCKET NO.: 0107131-00573 US4

Filed on behalf of Intel Corporation

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION
Petitioner

v.

QUALCOMM INCORPORATED
Patent Owner

Trial No. IPR2019-00128
U.S. Patent No. 9,154,356

**PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF
GREGORY H. LANTIER**

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. § 42.10(c) and Paper No. 6 authorizing the parties to file motions for *pro hac vice* admissions under 37 C.F.R. § 42.10(c), Petitioner Intel Corporation (“Petitioner”) requests that the Patent Trial and Appeal Board (the “Board”) admit Gregory H. Lantier *pro hac vice* in this proceeding, IPR2019-00128.

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 as the Board may impose. Section 42.10(c) indicates 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 an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Gregory H. Lantier *pro hac vice* in this proceeding.

1. Lead counsel, David Cavanaugh, and backup counsel, John Hobgood, Ben Fernandez, and Michael Smith, are registered practitioners.

2. Counsel, Gregory H. Lantier, is an experienced litigator and has established familiarity with the subject matter at issue in the proceeding.

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3. Accompanying this motion as Exhibit 1338 is the October 7, 2019

Declaration of Gregory H. Lantier in Support of this Motion for Admission Pro Hac Vice ("Lantier Decl."). In his declaration, Mr. Lantier asserts:

I am a member in good standing of the Bars of the State of New York, the Commonwealth of Virginia, and the District of Columbia, and am admitted to practice before the United States District Courts for the Northern, Western, and Southern Districts of New York, the Eastern District of Virginia, the Eastern District of Texas, and the District of Columbia; the United States Court of Federal Claims; the United States Court of Appeals for the Federal Circuit; and the Supreme Court of the United States. Lantier Decl. ¶ 3 (Ex. 1338).

4. Mr. Lantier also asserts:

I am familiar with the subject matter at issue in this proceeding. I participated in the drafting of the Petition filed in this proceeding, and I have reviewed the papers filed in this proceeding. In addition to the instant proceeding, my firm currently represents Petitioner against the Patent Owner in the following other pending proceedings: IPR2018-01152, IPR2018-01153, IPR2018-01154, IPR2018-01240, IPR2018-01261, IPR2018-01293, IPR2018-01295, IPR2018-01326, IPR2018-01327, IPR2018-01328, IPR2018-01329, IPR2018-01330, IPR2018-

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01334, IPR2018-01340, IPR2018-01344, IPR2018-01346, IPR2018-01429, IPR2019-00047, IPR2019-00048, IPR2019-00049, IPR2019-00128, IPR2019-00129. I am representing and have represented Petitioner Intel Corporation in multiple patent-related matters, including the following United States District Court cases: *Qualcomm Inc. v. Apple Inc.*, 3:17-cv-02402 (S.D. Cal.), which is related to and involves the same patent at issue in this proceeding; *VLSI Tech. LLC v. Intel Corp.*, Nos. 1:18-cv-00966 and 1:19-cv-00426 (D. Del.); *VLSI Tech. LLC v. Intel Corp.*, No. 5:17-cv-05671 (N.D. Cal.); *VLSI Tech. LLC v. Intel Corp.*, Nos. 6:19-cv-254, 6:19-cv-255, and 6:19-256 (W.D. Tex.). Lantier Decl. ¶¶ 13-14 (Ex. 1338).

5. In his declaration, Mr. Lantier 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* Lantier Decl. ¶¶ 1-15 (Ex. 1338).

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Gregory H. Lantier *pro hac vice* in this proceeding.

Respectfully Submitted,

/Michael Smith/

David L. Cavanaugh, Reg. No. 36,476
John V. Hobgood, Reg. No. 61,540
Ben Fernandez, Reg. No. 55,172
Michael H. Smith, Reg. No. 71,190
Wilmer Cutler Pickering Hale and Dorr LLP

Dated: October 7, 2019

PETITIONER'S UPDATED EXHIBIT LIST IPR2019-00128

Exhibit	Description
1301	U.S. Patent No 9,154,356 ("356 patent")
1302	Declaration of Dr. Patrick Fay ("Fay-Decl.")
1303	RESERVED
1304	3GPP Technical Report 36.912 V9.1.0, 3 rd Generation Partnership Project; Technical Specification Group Radio Access Network; Feasibility study for Further Advancements for E-UTRA (LTE-Advanced) (Release 9) ("Feasibility Study")
1305	RESERVED
1306	RESERVED
1307	RESERVED
1308	RESERVED
1309	RESERVED
1310	RESERVED
1311	August 21, 2012, U.S. Application No. 13/590,423 as filed
1312	November 14, 2013 Office Action, U.S. Application No. 13/590,423
1313	Patent Owner's February 6, 2014 Response to Office Action Dated November 14, 2013, U.S. Application No. 13/590,423
1314	April 18, 2014 Office Action, U.S. Application No. 13/590,423
1315	Patent Owner's June 6, 2014 Response to Office Action Dated April 18, 2014, U.S. Application No. 13/590,423
1316	August 1, 2014 Office Action, U.S. Application No. 13/590,423
1317	Patent Owner's October 30, 2014 Response to Office Action Dated August 1, 2014, U.S. Application No. 13/590,423
1318	December 26, 2014 Office Action, U.S. Application No. 13/590,423
1319	February 26, 2015 Applicant-Initiated Interview Summary, U.S. Application No. 13/590,423
1320	Patent Owner's February 25, 2015 Response to Office Action

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Exhibit	Description
	Dated December 26, 2014, U.S. Application No. 13/590,423
1321	March 5, 2015 Notice of Allowability, U.S. Application No. 13/590,423
1322	May 29, 2015 Notice of Allowability, U.S. Application No. 13/590,423
1323	U.S. Patent No. 7,751,513 (“Eisenhut”)
1324	U.S. Patent No. 7,317,894 (“Hirose”)
1325	U.S. Patent No. 8,442,473 (“Kaukovuori”)
1326	Declaration of Patrick Merias (“Merias Decl.”)
1327	Declaration of Friedhelm Rodermund (“Rodermund Decl.”)
1328	RAN1 TR 36.912 Documents (“TR 36.912 Webpage”) http://www.3gpp.org/ftp/Specs/archive/36_series/36.912/
1329	RESERVED
1330	RESERVED
1331	RESERVED
1332	RESERVED
1333	RESERVED
1334	RESERVED
1335	U.S. Patent Application Publication 2012/0056681 (“Lee”)
1336	Inv. No. 337-TA-1093 Order No. 38: Construing Certain Terms of the Asserted Claims of the Patents at Issue (<i>Markman</i> Claim Construction), August 28, 2018, Public Version, pgs. Cover, 1-19, App’x A 1, 3-9, 11, 12, 14, 15, 17-20, 23-25, 27, 30-41, 43-46, Chart 2, Cert. of Service
1337	Inv. No. 337-TA-1093, “Open Sessions,” Public Hearing Transcript, (cover, pages 1953, 2170, 2174, 2189-2216, 2246, & 2270), Sep. 25, 2018 (“ITC”)
1338	Declaration Of Gregory H. Lantier In Support Of Motion For Admission <i>Pro Hac Vice</i>

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2019, I caused a true and correct copy of the foregoing materials:

- Petitioner's Motion for Admission *Pro Hac Vice* of Gregory H. Lantier
- Exhibit 1338
- Petitioner's Updated Exhibit List

to be served via electronic mail on the following lead and backup counsel:

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