

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUASAR SCIENCE LLC
Petitioner,

v.

COLT INTERNATIONAL CLOTHING, INC. d/b/a COLT LED
Patent Owner.

Case: IPR2023-00611
U.S. Patent No. 10,197,224

**MOTION FOR KYLE G. GOTTUSO TO APPEAR
PRO HAC VICE ON BEHALF OF PETITIONER**

Petitioner Quasar Science LLC (“Quasar”) respectfully requests that the Board recognize Mr. Kyle G. Gottuso as counsel *pro hac vice* during this proceeding.

I. BACKGROUND

Quasar’s Motion for *Pro Hac Vice* Admission is being filed in compliance with and pursuant to the Notice of Filing Date (Paper No. 7) and the Order Authorizing Motion for *Pro Hac Vice* Admission in Case IPR2013-00639 (Paper No. 7).

II. STATEMENT OF FACTS

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Gottuso *pro hac vice* in this proceeding. The following facts are supported by the declaration of Mr. Gottuso, which is submitted with this Motion.

1. Mr. Gottuso is a partner at the law firm of Armstrong Teasdale LLP. Lead counsel in *Quasar Science LLC v. Colt International Clothing, Inc. d/b/a Colt LED*, IPR2023-00611, is David M. Magee, who is a partner at the law firm of Armstrong Teasdale LLP. Mr. Magee is registered to practice before the United States Patent and Trademark Office and holds Registration No. 51,982. Gottuso Decl. at ¶ 1.

2. Mr. Gottuso holds a Bachelor of the Arts in English from the University of Missouri and a juris doctor degree from the University of Missouri. *Id.* at ¶ 2.

3. Mr. Gottuso is an experienced litigation attorney with over 10 years of experience and has been involved in numerous complex patent litigations in various United States District Courts and the United States Court of Appeals for the Federal Circuit. His experience includes numerous patent infringement litigation matters in various fields, including, for example, internet security, voting machine technology, electrodeposition of copper on integrated circuits, integrated circuit card technology, and cellular phone technology. *Id.* at ¶ 3.

4. Mr. Gottuso is familiar with U.S. Patent No. 10,197,224 (“the ’224 Patent”) and with the legal and technical subject matter that forms the basis for Quasar’s challenge to the validity of the ’224 patent. Further, Mr. Gottuso is familiar with the litigation currently pending between the parties involving Colt’s patents and, as such, is familiar with the subject matter at issue in this proceeding. *Id.* at ¶ 4.

5. Mr. Gottuso is a member in good standing of the Bar of the State of Missouri, the United States District Court for the Eastern District of Missouri, the United States District Court for the Western District of Missouri, and the United States Court of Appeals for the Federal Circuit. He has also been admitted *pro hac*

vice to numerous District Courts across the country representing clients in patent infringement matters, including, for example, the District of Delaware, the Middle District of Florida, the Southern District of Florida, the Eastern District of Texas, the Northern District of New York, and the Southern District of California. *Id.* at ¶ 5.

6. In the past three (3) years, Mr. Gottuso has appeared *pro hac vice* before the Patent Trial and Appeal Board in the following proceedings (*Id.* at ¶ 6):

- a. *Vermeer Manufacturing Company v. The Toro Company*,
PGR2020-00081

7. Mr. Gottuso has never been suspended or disbarred from practice before any court or administrative body. *Id.* at ¶ 7.

8. Mr. Gottuso has never had a court or administrative body deny his application for admission to practice. *Id.* at ¶ 8.

9. Mr. Gottuso has never been sanctioned or cited for contempt by any court or administrative body. *Id.* at ¶ 9.

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

III. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Quasar's Motion for *Pro Hac Vice* Admission is accompanied by the attached Declaration of Mr. Kyle G. Gottuso as required by the Order.

IV. CONCLUSION

Pro Hac Vice admission of Mr. Kyle G. Gottuso during this proceeding is respectfully requested.

Dated: November 6, 2023

Respectfully submitted,

/David M. Magee/

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CERTIFICATE OF SERVICE

Under 37 C.F.R. § 42.6(e), the undersigned certifies that on November 6, 2023, a copy of the PETITIONER’S MOTION FOR KYLE G. GOTTUSO TO APPEAR *PRO HAC VICE* was served via email on the following counsel of record:

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