UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO., LTD; SAMSUNG ELECTRONICS CO., LTD.; and SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner

v.

POLARIS POWERLED TECHNOLOGIES, LLC,
Patent Owner

Case IPR2023-00771
U.S. Patent No. 7,259,521

PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF ANDREW G. HAMILL UNDER 37 C.F.R. § 42.10(c)

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PATENT OWNER'S UPDATED EXHIBIT LIST

Exhibit No.	Description
2001	Declaration of Thomas L. Credelle
2002	*Curriculum Vitae* of Thomas L. Credelle
2003	R. Dawson, et al., "The impact of the transient response of organic light emitting diodes on the design of active matrix OLED displays," IEEE ELEC. DEV. MTG. DIGEST (1998) ("Dawson")
2004	Declaration of Andrew G. Hamill in Support of Motion for *Pro Hac Vice* Admission

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), the undersigned, on behalf of the Patent Owner Polaris PowerLED Technologies, LLC ("Patent Owner"), hereby respectfully requests the *pro hac vice* admission of Andrew G. Hamill in this proceeding.

II. GOVERNING LAW, RULES, AND PRECEDENT

Section 42.10(c) of 37 C.F.R. provides as follows:

> 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. For example, where the 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 showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

The Board has stated that any motion for *pro hac vice* admission under 37 C.F.R. § 42.10(c) must be filed in accordance with the "Order – Authorizing Motion for *Pro Hac Vice* Admission" entered in Case IPR2013-00639, Paper 7 ("*Unified Patents* Order").

The *Unified Patents* Order requires that such motions (1) "[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel

pro hac vice during the proceeding;" and (2) "[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following":

i. Membership in good standing of the Bar of at least one State or the District of Columbia;

ii. No suspensions or disbarments from practice before any court or administrative body;

iii. No application for admission to practice before any court or administrative body ever denied;

iv. No sanctions or contempt citations imposed by any court or administrative body;

v. The individual seeking to appear 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 37 C.F.R.;

vi. The individual 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);

vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and

viii. Familiarity with the subject matter at issue in the proceeding.

See Unified Patents Order, 3.

III. STATEMENT OF FACTS

Based on the following facts, and supported by the Declaration of Andrew G. Hamill, submitted herewith as Exhibit 2004, Patent Owner requests the *pro hac vice* admission of Mr. Hamill in this proceeding:

1. Patent Owner's lead counsel, Sal Lim, is a registered practitioner (Reg. No. 45,706).

2. Mr. Hamill is attorney at the law firm of KRAMER ALBERTI LIM & TONKOVICH LLP ("Kramer Alberti"). EX2004, ¶3. Kramer Alberti is a firm that specializes in intellectual property law. *Id.*

3. Mr. Hamill is an experienced patent litigation attorney whose practice focuses on patent litigation before district courts, the International Trade Commission, and the Patent Trial and Appeal Board. *Id.*, ¶4. Mr. Hamill has litigated patent cases in a variety of technology areas, and involving a variety of legal issues. *Id.* Mr. Hamill has litigated patent-related district court actions and International Trade Commission investigations and has assisted with *inter partes* review proceedings before the Office. *Id.*

4. Mr. Hamill is a member in good standing of the Bar of California. *Id.*, ¶5.

5. Mr. Hamill has never been suspended or disbarred from practice before any court or administrative body. *Id.*

6. No application of Mr. Hamill's for admission to practice before any court or administrative body has ever been denied. *Id.*, ¶6.

7. No sanctions or contempt citations have ever been imposed against Mr. Hamill by any court or administrative body. *Id.*, ¶7.

8. Mr. Hamill 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 37 C.F.R. *Id.*, ¶8.

9. Mr. Hamill understands 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.*, ¶9.

10. In the last three (3) years, Mr. Hamill has applied for *pro hac vice* admission in IPR2023-00244, IPR2023-00245, and IPR2023-00246. All of these applications were granted by the Patent Trial and Appeal Board.

11. Mr. Hamill has an established familiarity with the subject matter at issue in this proceeding. *Id.*, ¶11; *see also* Section IV below.

IV. GOOD CAUSE EXISTS FOR THE *PRO HAC VICE* ADMISSION OF ANDREW G. HAMILL IN THIS PROCEEDING.

"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." 37 C.F.R. § 42.10(c). "[W]here the 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 showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding." *Id*.

Patent Owner's lead counsel, Sal Lim, is a registered practitioner (Reg. No. 45,706). Based on the facts contained herein, as supported by Mr. Hamill's Declaration, good cause exists to admit Mr. Hamill *pro hac vice* in this proceeding.

As set forth in his Declaration, Mr. Hamill is an experienced patent litigation attorney who began working as an attorney at Kramer Alberti in October 2020. EX2004, ¶4. Mr. Hamill has litigated patent cases in a variety of technology areas, and involving a variety of legal issues. *Id.* Mr. Hamill has been involved in *inter partes* review proceedings before the Office, patent-related district court actions, and International Trade Commission investigations. *Id.* Additionally, Mr. Hamill is versed in the statutory provisions, regulations, case law, and administrative guidance applicable to these proceedings. *Id*.

Mr. Hamill also has an established familiarity with the subject matter at issue in this proceeding. *Id*., ¶11. Mr. Hamill is versed in the records, facts, legal theories, and procedural issues involved. *Id.* Mr. Hamill has reviewed in detail U.S. Patent No. 7,259,521. *Id.* Mr. Hamill has also reviewed the references and exhibits discussed in the Petition for *Inter Partes* Review. *Id.* Mr. Hamill has reviewed in detail the pleadings submitted in this proceeding and has engaged in strategic and substantive discussions regarding this proceeding. *Id.*, ¶12. Mr. Hamill is versed in

both the legal and technical issues involved in this proceeding through his involvement in litigation in the related district court proceedings. *Id.*

Based on the facts contained herein, as supported by Mr. Hamill's Declaration, good cause exists to admit Mr. Hamill *pro hac vice* in this proceeding.

V. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that Andrew G. Hamill be admitted *pro hac vice* in this proceeding.

The Patent Trial and Appeal Board is hereby authorized to charge any fees associated with this filing to Deposit Account 19-0036.

Respectfully submitted,

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF ANDREW G. HAMILL UNDER 37 C.F.R. § 42.10(c)** and **EXHIBIT 2004** were served in their entireties on January 17, 2024 upon the following parties via electronic mail:

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