

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GUANGDONG LAITU IMAGING TECHNOLOGY CO., LTD. dba LEOFOTO,
Petitioner,

v.

REALLY RIGHT STUFF, LLC,
Patent Owner

U.S. Patent No. 8,398,037, EQUIPMENT SUPPORT
IPR No. 2023-00853

**PATENT OWNER'S MOTION FOR THE *PRO HAC VICE* ADMISSION OF
STUART LEIJON
37 C.F.R. § 42.10(c)**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Really Right Stuff, LLC (“RRS”) respectfully moves the Patent Trial & Appeal Board (“Board”) for the *pro hac vice* admission of Stuart B. Leijon.

II. GOVERNING LAW, RULES, AND PRECEDENT

The Board is authorized to recognize counsel *pro hac vice* pursuant to 37 C.F.R. § 42.10(c), which provides that:

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 a motion for admission *pro hac vice* should include a “statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding” and “[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.

Unified Patents, inc. v. Parallel Iron, LLC, IPR 2013-00639 (Paper 7). The Board has authorized the parties to file motions for admission *pro hac vice* in this IPR proceeding in Paper No. 4, the April 28, 2023, NOTICE OF FILING DATE ACCORDED TO PETITION AND TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE.

III. STATEMENT OF FACTS

Based on the following facts, supported by the declaration filed herewith, RRS requests that Mr. Stuart B. Leijon be admitted *pro hac vice* in this proceeding. As an initial matter, RRS's lead counsel in this matter, Kevin Russell (Reg. No.

38,292), is a registered practitioner. Counsel for Patent Owner has contacted Petitioner's counsel, Mr. Howard Sheerin, by email to inquire whether Petitioner objects to the relief requested in this Motion, and Petitioner's counsel has indicated that they have no objections.

A. Mr. Leijon Meets the Requirements for Admission *Pro Hac Vice*

1. Mr. Leijon has worked in litigation support as a law clerk and as a litigator since his admission to the Oregon State Bar in October of 2021. Since November of 2021, Mr. Leijon has worked as a patent litigator. He has represented clients in multiple U.S. District Courts as well as the States of Oregon and Washington.

2. Mr. Leijon is very familiar with U.S. Patent no. 8,398,037, and with the legal subject matter, technical subject matter, and prior art discussed in the Petition for *Inter Partes* Review of the '037 Patent. Mr. Leijon is currently admitted *pro hac vice* as counsel in the U.S. District of Utah as counsel for Patent Owner in a matter concerning the same field as this petition for *inter partes* review: *Really Right Stuff v. Field Optics Research*, Utah Case no. 2:20-cv-00345. Counsel for petitioner, Mr. Sheerin, represents Field Optics Research in that case.

3. Mr. Leijon is a member of good standing in both Oregon and Washington States as well as in the U.S. District Court for the District of Oregon.

4. Mr. Leijon has never been suspended or disbarred from practice before any court or administrative body.

5. Mr. Leijon has never been denied admission or application to practice before any court or administrative body.

6. Mr. Leijon has never been sanctioned or cited for contempt by any court or administrative body.

7. Mr. Leijon has read and will comply with the Office Patent Trial Guide and the Board's Rules of Practice for Trials in 37 C.F.R. Part 42.

8. Mr. Leijon agrees to be subject to the United States Patent and Trademark Office 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).

IV. CONCLUSION

For the foregoing reasons, Really Right Stuff respectfully requests that Stuart B. Leijon be admitted *pro hac vice* for this matter.

Respectfully Submitted

DATE: August 1, 2023

s/Kevin Russell
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U.S. Patent No. 8,398,037
IPR No. 2023-00853
Attorney Docket No. 8394.0015

Portland, OR 97201
Ph: 503-227-5631

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on August 1, 2023, a complete and entire copy of this Patent Owner's MOTION FOR PRO HAC VICE ADMISSION OF STUART LEIJON and any associated declarations, exhibits, annexes, or the like were provided via email to the Petitioner by serving the email correspondence address of record as follows:

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Respectfully Submitted

DATE: August 1, 2023

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