

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS
Petitioner,

v.

GENERAL ACCESS SOLUTIONS, LTD.
Patent Owner

Case IPR2023-00978
U.S. Patent No. 7,230,931

**PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF BRIAN
ROSENTHAL**

I. Statement of Relief Requested

Pursuant to 37 C.F.R. § 42.10(c) and Notice of Filing Date Accorded (Paper 3; “Notice”) authorizing the parties to file motions for *pro hac vice* admissions under 37 C.F.R. § 42.10(c), Petitioner requests that the Patent Trial and Appeal Board (the “Board”) admit Brian Rosenthal *pro hac vice* in this proceeding.

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 Brian Rosenthal *pro hac vice* in this proceeding.

1. Lead counsel (Justin J. Oliver) and backup counsel (Steven K. Yam) are registered practitioners.

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

3. Accompanying this motion as Exhibit 1033 is the September 3, 2024 Declaration of Brian Rosenthal in Support of this Motion for Admission *Pro Hac Vice* (“Rosenthal Decl.”).

4. Mr. Rosenthal is a partner at the law firm Gibson, Dunn & Crutcher LLP. (Ex. 1033 at ¶ 3).

5. In his declaration, Mr. Rosenthal asserts:

I have been practicing law for 24 years. I am an experienced litigation attorney and have been involved in numerous patent infringement cases in Federal Courts across the country. I have experience in various aspects of patent infringement matters including jury and bench trials, Markman hearings, and summary judgment hearings

(Ex. 1033 at ¶ 4).

6. In his declaration, Mr. Rosenthal asserts:

I am a member in good standing of the New York Bar (2001) and the District of Columbia Bar (2002), and I am admitted to practice before the following Federal Courts: United States Court of Appeals for the Federal Circuit; United States Court of Federal Claims; United States District Court for the Southern District of New York; United States District Court for the Eastern District of Texas;

District of Columbia; and United States District Court for the Western District of Texas. I have not been suspended or disbarred from practice before any court or administrative body.

(Ex. 1033 at ¶ 5).

7. Mr. Rosenthal also asserts:

I am familiar with the subject matter at issue in this proceeding. I have been involved consistently and substantively in this inter partes review proceeding since its inception in May 2023. I have reviewed the papers filed in this proceeding. Since October 2022, I have been counsel for the defendant, Verizon, in copending litigation in the United States District Court for the Eastern District of Texas between Petitioner Verizon and the Patent Owner. *General Access Sols., Ltd. v. Cellco Partnership d/b/a Verizon Wireless et al.*, No. 2:22-cv-394-JRG (E.D. Tex.). That litigation involves the same '931 patent under review in this proceeding.

(Ex. 1033 at ¶ 11).

8. In his declaration, Mr. Rosenthal 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* Ex. 1033 at ¶¶ 5-11.

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Brian Rosenthal *pro hac vice* in this proceeding.

Dated: September 3, 2024

Respectfully Submitted,

/Justin J. Oliver/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF BRIAN ROSENTHAL was served by email on all counsel of record on September 3, 2024.

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Dated: September 3, 2024

Respectfully Submitted,

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