UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLLEGE PRODUCTS, INC.,

Petitioner,

v.

INTIRION CORPORATION,

Patent Owner.

Case IPR2023-01043

Patent No. 10,495,374

MOTION FOR *PRO HAC VICE* ADMISSION
37 C.F.R. § 42.10

This Motion for *Pro Hac Vice* Admission is being filed by Patent Owner Intirion Corporation ("Intirion") in the IPR proceeding captioned in the title page of this submission. Intirion requests the admission of Ms. Cara Donels *pro hac vice* in the IPR proceeding captioned above. Intirion submits herewith a Declaration of Cara S. Donels in Support of this Motion for *Pro Hac Vice* Admission. Petitioner does not object to the motion.

Ms. Donels is very familiar with the technical and legal issues raised in the IPR Petition and is qualified to serve as backup counsel for Intirion in this matter. As explained in the attached declaration, Ms. Donels is an experienced litigating attorney who has appeared in numerous patent cases and worked on several others, including two pending district court patent litigations relating to linked appliances with auxiliary outlets. (*See* Donels Decl., ¶¶ 10-14.) Ms. Donels has worked in the area of intellectual property litigation, with a focus on patent litigation, since September 2019. (*Id.*, ¶¶ 9-10.) Through her work on multiple proceedings for Intirion, she has experience with the linked appliance technologies relevant to this IPR proceeding. (*Id.*, ¶¶ 11-14.)

Ms. Donels is also well-versed in the subject matter and procedural history of the challenged '374 patent. She is counsel of record for Intirion in the pending district court patent litigation over the '374 patent. (*Id.*, ¶¶ 11-13.) Ms. Donels has been substantially involved in these proceedings.

In the course of her representation of Intirion, Ms. Donels has reviewed and analyzed the ’374 patent and its prosecution history in detail. (*Id.*, ¶¶ 13-14.) She has also reviewed and analyzed asserted and referenced prior art, all of the papers filed in the district court lawsuit, all of the exhibits to the IPR Petition, and, of course, the Petition itself. (*Id.*) Ms. Donels has a particularly high level of knowledge regarding Petitioner’s prior art contentions raised in the Petition, and the district court litigation, because she is assisting in drafting Intirion’s Preliminary Response to the Petition. (*Id.*, ¶ 14.)

Pursuant to 37 C.F.R. § 42.10(c), Intirion further notes that Ms. Donels is a member in good standing of the state bars of Iowa and Minnesota and is admitted to practice before five federal courts. (*See* Donels Decl. ¶ 2.) No court or administrative body has ever (a) suspended or disbarred her from practice; (b) denied her application to practice; or (c) sanctioned her or cited her for contempt. (*Id.*, ¶¶ 3-5.) Ms. Donels has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials. (*Id.*, ¶ 6.) She has also acknowledged that she 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.*, ¶ 7.)

For the foregoing reasons, Patent Owner Intirion respectfully requests that this Motion for *Pro Hac Vice* Admission be granted, and that Ms. Cara Donels be admitted to appear *pro hac vice* in the IPR proceeding captioned above.

Respectfully submitted,

/R. Scott Johnson/

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Dated: June 30, 2023

Declaration of Cara S. Donels in Support of

Motion for *Pro Hac Vice* Admission

I, Cara S. Donels, declare as follows:

1. I am an associate with Fredrikson & Byron, P.A., and am one of the lawyers representing Patent Owner Intirion Corporation ("Intirion") in connection with the IPR proceeding captioned on the title page of the submission and the related IPR proceedings, IPR2023-01041 and IPR202-01042.

2. I am a member in good standing of the following Bars: State of Iowa, State of Minnesota, U.S. Court of Appeals for the Federal Circuit, U.S. Court of Appeals for the Eighth Circuit, U.S. District Court for the Northern and Southern Districts of Iowa, and U.S. District Court for the District of Minnesota.

3. I have never received a suspension or disbarment from practice before any court or administrative body.

4. I have never been denied any application or admission to practice before any court or administrative body.

5. I have never been sanctioned by or received contempt citations from any court or administrative body.

6. I have 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.

7. I 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).

8. I have not previously applied to appear pro hac vice before the Board.

9. I earned my Juris Doctor degree from the University of Iowa Law School, in 2019.

10. Since September 2019, I have been in private practice with the law firm of Fredrikson & Byron P.A., practicing in intellectual property litigation with a primary focus on patent litigation. I have appeared in patent litigation cases across the country, including the U.S. Court of Appeals for the Federal Circuit, the District of Minnesota, the Northern and Southern Districts of Iowa, the Central District of California, the District of Arizona, and the District of Delaware. I have also appeared in copyright and/or trademark litigation cases in the District of Minnesota, the Eastern District of Washington, and the Southern District of New York, and have appeared before the Trademark Trial and Appeal Board and the U.S. International Trade Commission. I have worked on, but not formally appeared in, several other patent and intellectual property litigation cases in my tenure at Fredrikson & Byron P.A., including at the U.S. Court of Appeals for the Second Circuit and U.S. Court of Appeals for the Ninth Circuit.

11. In particular, I have appeared in two district court cases in the Northern District of Iowa for Patent Owner Intirion, captioned as follows, which relate to Intirion's claims of infringement of the '374 patent:

College Products, Inc. v. Intirion Corporation, No. 23-cv-04002 (N.D. Iowa, filed Jan. 5, 2023)

Intirion Corporation v. College Products, Inc., No. 23-cv-04023 (N.D. Iowa, Apr. 13, 2023) (transferred from W.D. Tex. 22-cv-00458, filed May 6, 2022)

12. Through my work in these cases, I gained substantial familiarity with the technology at issue in this case, linked appliances with auxiliary outlets.

13. I am very familiar with the subject matter at issue in this IPR proceeding. As indicated in paragraphs 11 and 12, I am counsel of record in the pending patent lawsuit in the Northern District of Iowa between Intirion and Petitioner CP over the challenged '374 patent. I have reviewed and analyzed that patent and its prosecution history in detail, and I have participated in every aspect of the lawsuit.

14. In conjunction with my work on the district court lawsuit, I closely reviewed the subject '374 patent, its prosecution file history, the referenced prior art, and all of the exhibits to the IPR Petition. I am involved in drafting Intirion's Preliminary Response to the Petition.

15. Counsel for Patent Owner contacted counsel for Petitioner and confirmed that Petitioner does not object to this motion.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct to the best of my present knowledge and recollection.

Dated: June 30, 2023

/Cara S. Donels/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Motion for *Pro Hac Vice* Admission** was filed via PTAB E2E and served pursuant to 37 C.F.R. § 42.6(e) via electronic mail on June 30, 2023 on the following:

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