

Case No. IPR2023-01046

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT, CORP.,
Petitioner,

v.

REALD SPARK, LLC,
Patent Owner.

Case No. IPR2023-01046
Patent No. 10,740,985

**PATENT OWNER'S MOTION FOR ADMISSION PRO HAC VICE
OF TIMOTHY J. GORRY UNDER 37 C.F.R. § 42.10(C)**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner REALD SPARK, LLC, (“RealD” or “Patent Owner”) respectfully requests that the Board admit Timothy J. Gorry *pro hac vice* in this proceeding.

I. STATEMENT OF FACTS

Patent Owner’s lead counsel, Jennifer A. Mauri, is a registered practitioner (Reg. No. 63,279) in good standing before the Board.

Mr. Gorry is a Partner at Michelman & Robinson, LLP and is licensed to practice law in California. (Ex. A (Gorry Decl.) ¶ 1.)

Mr. Gorry is a member in good standing of the California Bar. He is admitted to practice before the California Supreme Court, the Northern, Central, Eastern and Southern Districts of California and the Ninth Circuit Court of Appeals. (*Id.* ¶ 2.)

Mr. Gorry is a member in good standing in all jurisdictions where he has been admitted to practice (*Id.* ¶ 3.) He has never been suspended or disbarred from practice before any court or administrative body (*id.* ¶ 4), never had an application to practice before any court of administrative body denied (*id.* ¶ 5), and never had reportable sanctions or contempt citations imposed against him by any court or administrative body (*id.* ¶ 6.)

Mr. Gorry states that he 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.* ¶ 7.) Mr. Gorry agrees to 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.* ¶ 8.)

In the last three (3) years, Mr. Gorry has not applied to appear *pro hac vice* in any other proceeding before the Office (*Id.* ¶ 9.)

Mr. Gorry is an experienced litigating attorney. He has over 35 years of litigation experience, including over 20 years of experience litigating patent matters. (*Id.* ¶ 10.).

Mr. Gorry also has an established familiarity with subject matter at issue in this proceeding. He has litigated cases involving software development and database construction. (*Id.*) He is familiar with U.S. Patent No. 10,740,985 (the “’985 Patent”) and its file history, the prior art presented in the petition, and the legal and factual issues raised by in this proceeding. (*Id.*)

II. GOOD CAUSE EXISTS FOR *PRO HAC VICE* ADMISSION OF TIMOTHY J. GORRY

The facts outlined in the foregoing Statement of Facts, supported by the Declaration of Timothy J. Gorry (Exhibit A), establish that there is a good cause to admit Mr. Gorry *pro hac vice* in this proceeding under 37 C.F.R. § 42.10(c). Patent Owner’s lead counsel is a registered practitioner in good standing before the Board. Mr. Gorry is an attorney in good standing in the State of California, with other 35 years of litigation experience, including over 20 years of experience litigating patent

matters. Mr. Gorry has carefully reviewed the '985 Patent, its prosecution history, the prior art, the grounds advanced by Patent Owner and other aspects of the record in this proceeding, and is familiar with this matter. Based on his knowledge and experience, good cause exists to admit Mr. Gorry *pro hac vice* in this proceeding.

III. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Timothy J. Gorry *pro hac vice* in this proceeding.

Dated July 25, 2024

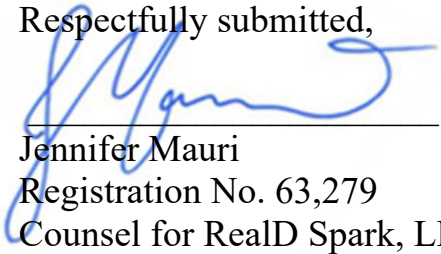
Respectfully submitted,

By: _____
Jennifer Mauri
Registration No. 63,279
Counsel for RealD Spark, LLC

EXHIBIT A

Case No. IPR2023-01046

UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent No. 10,740,985

**DECLARATION OF TIMOTHY J. GORRY IN SUPPORT OF
PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION**

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U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I, Timothy J. Gorry, declare as follows:

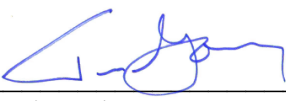
1. I am a Partner at Michelman & Robinson, LLP and am licensed to practice law in the State of California.
2. I am a member in good standing of the State Bar of California and am admitted to practice before the California Supreme Court, the Northern, Central, Eastern and Southern Districts of California and the Ninth Circuit Court of Appeals.
3. I am a member in good standing in all jurisdictions where I have been admitted to practice.
4. I have never been suspended or disbarred from practice before any court or administrative body.
5. I have never had an application to practice before any court or administrative body denied.
6. I have never had reportable sanctions or contempt citations imposed against me by any court or administrative body.
7. 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.
8. I agree to 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).
9. In the last three (3) years, I have not applied to appear *pro hac vice* in

any other proceedings before the Office.

10. I have been a litigator for over 35 years and have been litigating patent cases for over 20 years. I have established familiarity with this proceeding. I have litigated cases involving computer software and database development. I am familiar with U.S. Patent No. 10,740,985 (the “’985 Patent”) and its file history, the prior art presented in the petition, and the legal and factual issues raised by Petitioner. Accordingly, I have knowledge and understanding of the technological and legal issues involved in this proceeding.

11. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated July 25, 2024

By: 

Timothy J. Gorry

CERTIFICATE OF SERVICE

A copy of Patent Owner's Response to the Decision granting *Inter Partes* Review of U.S. Patent No. 10,740,985 has been served on Petitioner via electronic mail at the following counsel of record for Petitioner:

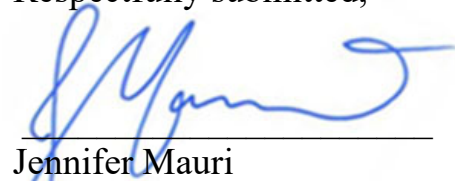
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Respectfully submitted,

Dated July 25, 2024

by:



Jennifer Mauri
Registration No. 63,279
Counsel for RealD Spark, LLC