UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PELOTON INTERACTIVE, INC.,

Petitioner

v.

JOHNSON HEALTH TECH CO., LTD.,

Patent Owner.

PTAB Case No. IPR2023-01163

Patent No. 10,032,227

PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION OF ASHLEE E. SHERMAN

Petitioner Peloton Interactive, Inc. ("Petitioner") respectfully requests that the Board admit Ashlee E. Sherman as backup counsel pro hac vice in this proceeding. Ms. Sherman is a patent litigation attorney with substantial knowledge in the substantive issues of the invalidity of the challenged claims of the Patent in this proceeding. She is counsel for Petitioner in the related district court proceeding. Therefore, Ms. Sherman meets the requirements of "an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding" under 37 C.F.R. §42.10(c).

I. TIME FOR FILING

This Motion for *Pro Hac Vice* Admission has been authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, dated August 28, 2023 (Paper No. 6). This Motion is filed no sooner than twenty-one (21) days after service of the petition.

II. STATEMENT OF FACTS

In this proceeding, lead counsel for Petitioner is Babak Tehranchi, a registered practitioner. The following statement of facts shows that there is good cause for the Board to admit Ms. Sherman pro hac vice.

Ms. Sherman is a patent litigation attorney with more than 1 year of experience representing clients in cases involving computer hardware and software. (Affidavit of Ashlee E. Sherman ("Sherman Affidavit"), ¶ 7 in Exhibit

1012.) She is a member in good standing of the State Bar of California and the Northern District of California. Ms. Sherman has also been admitted *pro hac vice* to the Western District of Wisconsin and the Eastern and Western Districts of Texas.

III. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This Motion for Pro Hac Vice Admission is accompanied by an Affidavit of Ms. Sherman (Exhibit 1012), as required.

IV. CONCLUSION

Accordingly, Petitioner submits that there is good cause under 37 C.F.R. 42.10(c) for the Board to admit Ashlee E. Sherman as counsel pro hac vice and to authorize Ms. Sherman to represent Petitioner as back-up counsel in this proceeding.

Dated: December 19, 2023

Respectfully submitted,

/Babak Tehranchi/

Lead Counsel
Babak Tehranchi, Reg. No. 55,937

Back-up Counsel
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that true copies of this **PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION OF ASHLEE E. SHERMAN** were served in their entirety this 19th day of December 2023 by electronic mail on the Patent Owner via its attorneys of record

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Dated: December 19, 2023

Respectfully submitted,

/Babak Tehranchi/

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