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. IPR2023-01164

U.S. Patent No. 10,796,375

MOTION FOR *PRO HAC VICE* ADMISSION OF
SHANE A. BRUNNER UNDER 37 C.F.R. § 42.10

The Patent Owner, Johnson Health Tech Co., Ltd. ("Patent Owner"), respectfully requests that the Board recognize Mr. Shane A. Brunner as counsel *pro hac vice* during this proceeding.

1. Time For Filing

This Motion for *Pro Hac Vice* Admission is being filed pursuant to the Board's authorization. (Paper No. 6.)

2. Payment of Fees

The $250.00 fee pursuant to 37 C.F.R. § 42.15(e) is being paid at the time of

filing of this Motion. Petitioner authorizes charging any shortage of fees associated with this Motion to Deposit Account 13-3080.

3. Statement of Facts

The following statement of facts shows that there is good cause for the Board to recognize Mr. Brunner *pro hac vice*.

Mr. Brunner is an experienced patent litigation attorney with over 20 years of experience in numerous patent infringement lawsuits in District Courts across the country. He has experience in jury and bench trials, *Markman* hearings, and Federal Circuit oral arguments. (Declaration of Shane A. Brunner in Support of Motion for *Pro Hac Vice* Admission Under 37 C.F.R. §42.10 ("Brunner Decl.") at ¶¶1 and 8.)

Mr. Brunner also has experience in other *Inter-Partes* Review ("IPR") proceedings, including those where he was admitted *pro hac vice*. Those previous IPR proceedings where he was admitted *pro hac vice* include IPR2015-01076, IPR2016-00950, IPR2019-00269 and IPR2019-00933 and IPR2022-01015. (*Id*. at ¶7.)

Mr. Brunner has reviewed and is familiar with (i) the Petition, (ii) U.S. Patent 10,796,375 ("the '375 patent"), the patent at issue in this matter, (iii) the prior art relied upon in the Petition, and (iv) the legal and factual arguments made

to date. Accordingly, he has established familiarity with the subject matter at issue in this proceeding and the conduct of the proceeding to date. (*Id*. at ¶9.)

In light of the foregoing, Petitioner respectfully submits there is good cause for the Board to recognize Mr. Brunner as counsel *pro hac vice* during this proceeding.

/Kevin P. Moran/
Kevin P. Moran, Reg. No. 37,193

Attorney for Patent Owner
Johnson Health Tech Co., Ltd.

Dated: December 6, 2023