UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PELOTON INTERACTIVE, INC.,

Petitioner,

v.

JOHNSON HEALTH TECH CO., LTD.,

Patent Owner.

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PTAB Case No. IPR2023-01165

U.S. Patent No. 11,227,340

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MOTION FOR *PRO HAC VICE* ADMISSION OF JOHN C. SCHELLER UNDER 37 C.F.R. § 42.10

The Patent Owner, Johnson Health Tech Co., Ltd. ("Patent Owner"), respectfully requests that the Board recognize Mr. John C. Scheller 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. Patent Owner 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. Scheller *pro hac vice*.

Mr. Scheller is an experienced patent litigation attorney with over 25 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 John C. Scheller in Support of Motion for *Pro Hac Vice* Admission Under 37 C.F.R. §42.10 ("Scheller Decl.") at ¶¶1 and 8.)

Mr. Scheller 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 IPR2013-00463 and IPR2014-00184. (*Id*. at ¶7.)

Mr. Scheller has reviewed and is familiar with (i) the Petition, (ii) U.S. Patent 11,227,340 ("the '340 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, and is lead litigation counsel for Johnson Health Tech Co., Ltd. in the underlying District Court litigation against Peloton Interactive, Inc. (*Id*. at ¶9.)

In light of the foregoing, Patent Owner respectfully submits there is good cause for the Board to recognize Mr. Scheller 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: January 12, 2024

CERTIFICATION OF SERVICE

The undersigned hereby certifies that "MOTION FOR PRO HAC VICE ADMISSION" and "DECLARATION OF JOHN C. SCHELLER" for the above-captioned matter were served in their entirety on January 12, 2024, upon the following parties via email at the below email addresses:

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Respectfully submitted,

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(Trial No. IPR2023-01165)

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