

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

INDUSTRIAL REVOLUTION, INC.

Petitioner

v.

HUMANGEAR, INC.

Patent Owner

Inter Partes Review No. IPR2023-01174

U.S. Patent No. 10,555,629

PATENT OWNER HUMANGEAR, INC.’S MOTION FOR *PRO HAC VICE*
ADMISSION

Patent Owner Humangear, Inc. (“Patent Owner”) respectfully requests that the Board recognize Robert Payne, Esq., as counsel *pro hac vice* during this proceeding.

I. BACKGROUND

Patent Owner files this motion for pro hac vice in accordance with 37 C.F.R. § 42.10(c).

II. STATEMENT OF FACTS

The conditions outlined in 37 C.F.R. § 42.10(c) and the Order Authorizing Motion for *Pro Hac Vice* Admission (Paper 7) in Case No. IPR2013-00010 are met here.

First, Lead Counsel for Patent Owner (Steve D Beyer, Reg. No. 31,234) is registered to practice before the Board. *See* 37 C.F.R. § 42.10(c).

Second, good cause exists to permit Mr. Payne to be admitted *pro hac vice* for this matter. Mr. Payne is an experienced litigation attorney, who has handled numerous patent litigations in federal district court. Mr. Payne is the Patent Owner’s lead counsel in a federal district court litigation involving, U.S. Patent No. 10,555,629 which is the patent at issue in the instant Petition. Specifically, *Humangear, Inc. v. Industrial Revolution, Inc.*, Civil Action No. 2:23-cv-00102-LK (W.D. Wash.) which was identified in the Mandatory Notices filed by Patent Owner

on July 26, 2023. As part of his representation of Patent Owner, Mr. Payne has analyzed the relevant technologies in depth both independently and in consultation with the Lead Counsel in the present *Inter Partes* Review. Mr. Payne's Curriculum Vitae is attached hereto as **Exhibit 2001**.

III. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Patent Owner Humangear, Inc.'s Motion for *Pro Hac Vice* Admission is accompanied by the Declaration of Mr. Payne (**Exhibit 2002**) as required by the Order.

IV. CONCLUSION

For these reasons, Patent Owner respectfully requests that the Board recognize Robert Payne as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Date: August 2, 2023

By: /Steve D Beyer/

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CERTIFICATION OF SERVICE (37 C.F.R. §§ 42.6(E), 42.105(A))

The undersigned hereby certifies that a copy of the foregoing **PATENT OWNER HUMANGEAR, INC's MOTION FOR PRO HAC VICE ADMISSION**, including all Exhibits (2001-2002), was served on August 2, 2023 via email directed to counsel of record for the Petitioner at the following:

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