

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MASTERCARD INCORPORATED AND MASTERCARD INTERNATIONAL  
INCORPORATED,  
Petitioner,

v.

OV LOOP, INC.,  
Patent Owner.

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Case IPR2023-01290  
Patent 10,032,171

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**PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE*  
ADMISSION OF DARRELL ATKINSON UNDER 37 C.F.R. § 42.10(c)**

## **EXHIBIT LIST**

|              |                                                                                        |
|--------------|----------------------------------------------------------------------------------------|
| Exhibit-2001 | Declaration of Spencer Hosie in support of Motion for <i>Pro Hac Vice</i> Admission    |
| Exhibit-2002 | Declaration of Diane S. Rice in support of Motion for <i>Pro Hac Vice</i> Admission    |
| Exhibit-2003 | Declaration of Darrell Atkinson in support of Motion for <i>Pro Hac Vice</i> Admission |

Pursuant to 37 C.F.R. § 42.10(c), OV Loop, Inc. (“Patent Owner”), respectfully requests that the Board recognize Darrell Atkinson as counsel *pro hac vice* in this proceeding. Patent Owner seeks the counsel of Darrell Atkinson due to his experience in representing Patent Owner in other patent-related matters and particularly due to his familiarity with the substantive and technical issues involved in this proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on September 29, 2023.

## **I. Statement of Facts**

Darrell Atkinson is a patent litigation attorney with more than 10 years of experience representing clients in cases spanning the computer software, electrical device, and pharmaceutical fields. Mr. Atkinson’s litigation experience includes, but is not limited to, fintech, biotech, Internet search technology, and stratospheric balloons. Mr. Atkinson’s prior fintech experience precedes his representation of Patent Owner. Mr. Atkinson litigates patent cases before the United States Court of Appeals for the Federal Circuit. Through his practice, Mr. Atkinson has gained substantial experience in trials, arbitrations, discovery, *Markman* hearings, and appeals. *See* Atkinson Dec., ¶¶ 8-9.

Mr. Atkinson also has particular experience and familiarity with the substantive and technical issues involved in this *inter partes* review proceeding.

For instance, Mr. Atkinson serves as trial counsel for Patent Owner in the litigation that involves the '171 patent, and, as a result, has gained familiarity with the patent and prior art references at issue. *See* Atkinson Dec., ¶ 10. Patent Owner has invested significant financial resources in each of these proceedings, and Mr. Atkinson will be taking a leading role with respect to the patent that is the subject of the present proceeding. Moreover, through his representation in the litigation, Patent Owner has developed a particular relationship with Mr. Atkinson such that Patent Owner desires to continue the relationship with Mr. Atkinson for the purpose of this proceeding.

## **II. Declaration of Individual Seeking to Appear**

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Darrell Atkinson. Accordingly, Patent Owner submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Darrell Atkinson as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Dated: November 29, 2023

/s/ Seth Lindner

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**CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))**

The undersigned hereby certifies that the above document was served on November 29, 2023, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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