UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

INTERDIGITAL PATENT HOLDINGS, INC.,
Patent Owner.

Case IPR2024-00305
U.S. Patent No. 8,737,933

PETITIONER'S UNOPPOSED
MOTION FOR ADMISSION *PRO HAC VICE* OF
SHELBY A. STEPPER PURSUANT TO 37 C.F.R. § 42.10(c)

LIST OF EXHIBITS

LIST OF NEWLY FILED EXHIBITS

Exhibits concurrently filed with Petitioner's Unopposed Motion For Admission *Pro Hac Vice* Of Shelby A. Stepper:

No.	Description
1083	Declaration of Shelby A. Stepper

LIST OF PREVIOUSLY FILED EXHIBITS

No.	Description
1001	U.S. Patent No. 8,737,933 ("**the '933 Patent**")
1002	File History of U.S. Patent No. 8,737,933
1003	Declaration of Peter Rysavy, dated December 20, 2023 ("**Rysavy Decl.**")
1004	U.S. Patent Application Pub. No. 2009/0298419 to Ahya et al. ("**Ahya**")
1005	U.S. Patent Application Pub. No. 2008/0166967 to Christopher D. McKillop ("**McKillop**")
1006	International Patent Application Pub. No. WO 2005/1072895 to Peter Hoddie ("**Hoddie**")
1007	U.S. Patent Application Pub. No. 2007/0191028 to Hinckley et al. ("**Hinckley**")
1008	Sidhu et al., *Emerging Wireless Standards – WiFi, ZigBee and WiMAX*, International Journal of Electronics and Communication Engineering Vol. 1 No. 1, at 43-48 (2007)
1009	Harry Newton, Newton's Telecom Dictionary, 20th Updated and Expanded Edition (excerpted) (2004)

No.	Description
1010	U.S. Patent Application Pub. No. 2009/0034498 to Banerjea et al. ("**Banerjea**")
1011	N/A
1012	U.S. Patent Application Pub. No. 2007/0135046 to Kapur et al. ("**Kapur**")
1013	U.S. Patent Application Pub. No. 2009/0215398 to Adler et al. ("**Adler**")
1014	Bluetooth Specification Version 1.1, Vol. 2, "Profiles" (Feb. 22, 2001)
1015	Megowan et al., Infrared Data Association® (IrDA®) Object Exchange Protocol OBEX™ Version 1.3 (Jan. 3, 2003).
1016	Postel et al., RFC 959, File Transfer Protocol (FTP) (Oct. 1985)
1017	K. Sollins, RFC 1350, The TFTP Protocol (Revision 2) (Jul. 1992)
1018	Frodigh et al., *Wireless ad hoc networking—The art of networking without a network*, Ericsson Review No. 4, at 248-263 (2000)
1019	U.S. Patent Application Pub. No. 2007/0146347 to Louis B. Rosenberg ("**Rosenberg**")
1020	Cheverst et al., *Exploring Bluetooth based Mobile Phone Interaction with the Hermes Photo Display*, Proceedings of the 7th International Conference on Human Computer Interaction with Mobile Devices and Services, at 47-54 (Sep. 2005)
1021	User's Guide for Nokia N72 (2006)
1022	U.S. Patent No. 7,356,347 to David Kammer ("**Kammer**")
1023	Phil Karn, *MACA - A New Channel Access Method for Packet Radio*, The Proceedings of the 9th ARRL Computer Networking Conference, at 134-140 (1990)
1024	Chatzimisios et al., *Optimisation of RTS/CTS handshake in IEEE 802.11 Wireless LANs for maximum performance*, IEEE

No.	Description
	Communications Society Globecom 2004 Workshops, at 270-275 (2004)
1025	Nokia 9500 Communicator User Guide (2004-2005)
1026	User's Guide for Nokia N95 (2007)
1027	U.S. Patent Application Pub. No. 2005/0113079 to Hui Guo ("**Guo**")
1028	U.K. Patent Application Pub. No. GB 2,439,364 to Turner et al. ("**Turner**")
1029	U.S. Patent Application Pub. No. 2004/0242216 to Demetrios Boutsikakis ("**Boutsikakis**")
1030	U.S. Patent No. 7,043,548 to Stephane Bouet ("**Bouet**")
1031	Brad A. Myers, The Importance of Percent-Done Progress Indicators for Computer-Human Interfaces, Proceedings of the SIGCHI Conference on Human Factors in Computing Systems (Apr. 1985)
1032	U.S. Patent Application Pub. No. 2009/0140986 to Karkkainen et al. ("**Karkkainen**")
1033	U.S. Patent Application Pub. No. 2007/0124503 to Ramos et al. ("**Ramos**")
1034	U.S. Patent No. 8,059,111 to Phil Harrison ("**Harrison**")
1035	U.S. Patent Application Pub. No. 2006/0026521 to Hotelling et al. ("**Hotelling '521**")
1036	Westerman et al., *Multi-Touch: A New Tactile 2-D Gesture Interface For Human-Computer Interaction*, Proceedings of the Human Factor and Ergonomic Society 45th Annual Meeting, at 632-636 (2001)
1037	Jun Rekimoto, *Pick-and-Drop: A Direct Manipulation Technique for Multiple Computer Environments*, Proceedings of the 10th annual ACM symposium on User interface software and technology, at 31-39 (1997)

No.	Description
1038	U.S. Patent Application Pub. No. 2008/0009309 to Hwang-hyeon Gha ("**Gha**")
1039	Pravin Bhagwat, *Bluetooth: Technology for Short-Range Wireless Apps*, at 96-103 (Jun. 2001)
1040	N/A
1041	N/A
1042	U.S. Patent Application Pub. No. 2003/0134629 to Ollis et al. ("**Ollis**")
1043	N/A
1044	U.S. Patent Application Pub. No. 2006/0097991 to Hotelling et al., ("**Hotelling '991**")
1045	U.S. Patent Application Pub. No. 2008/0168384 to Platzer et al. ("**Platzer**")
1046	U.S. Patent No. 7,479,949 to Jobs et al., ("**Jobs**")
1047	U.S. Patent Application Pub. No. 2008/0143685 to Lee et al. ("**Lee**")
1048	File History of U.S. Patent No. 8,200,265
1049	U.S. Patent No. 8,200,265 to Carlton et al. ("**the '265 patent**")
1050	File History of U.S. Patent No. 8,478,207
1051	U.S. Patent No. 8,478,207 to Carlton et al. ("**the '207 patent**")
1052	N/A
1053	Bluetooth Specification Version 1.1, Vol. 1, "Core" (Feb. 22, 2001)
1054	European Patent Application Pub. No. 1,489,783 to Anders Angela ("**Angelhag**")
1055	U.S. Patent Application Pub. No. 2005/0289195 to Lehtola et al. ("**Lehtola**")

No.	Description
1056	N/A
1057	Information Disclosure Statement for Lehtola filed June 23, 2004
1058	Affidavit of Nathaniel E. Frank-White, Records Request Processor at the Internet Archive ("Frank-White") Authenticating Exhibits 1014-1015, 1053, and 1060-1062
1059	Affidavit of Scott Delman, Director of Publication at the Association for Computing Machinery Authenticating Exhibit 1020
1060	User Guide for Nokia N91 (2006)
1061	User Guide for Nokia N75 (2006)
1062	User Guide for Nokia 9300 (2005)
1063	N/A
1064	User Guide for the Sony CLIE (2001)
1065	David Pogue, iPhone The Missing Manual (1st ed. Aug. 2007)
1066	U.S. Provisional Patent Application No. 61/140,126 to Carlton et al. ("**the '126 provisional**")
1067	U.S. Patent Application Pub. No. 2007/0011335 to Burns et al. ("**Burns**")
1068	Yardena Arar, *Bluetooth to work with Wi-Fi*, NetworkWorld (February 12, 2008)
1069	Staff's Proposed Claim Constructions, *Certain Electronic Devices, Including Smartphones, Computers, Tablet Computers, And Components Thereof*, Inv. No. 337-TA-1373 (Dec. 4, 2023)
1070	InterDigital's Proposed Claim Constructions, *Certain Electronic Devices, Including Smartphones, Computers, Tablet Computers, And Components Thereof*, Inv. No. 337-TA-1373 (Nov. 30, 2023)
1071	U.S. Patent No. 7,102,640 to Aholainen et al. ("**Aholainen**")

No.	Description
1072	U.S. Patent Application No. 12/128,497 to Ahya et al. ("**As-Filed Ahya Application**")
1073	Full Claims Listing (1-9, 11, 13-14, 20-31, 33, 35-36, 42-44)
1074	U.S. Patent Application Pub. No. 2005/0281237 to Heinonen et al. ("**Heinonen**")
1075	International Patent Application Pub. No. WO 2006/092505 to Olivier Chouraki ("**Chouraki**")
1076	U.S. Patent Application Pub. No. US 2003/0018744 to Johanson et al. ("**Johanson**")
1077	BLUETOOTH TECHNOLOGY TO HARNESS THE SPEED OF 802.11, Bluetooth SIG Press Release (Feb. 11, 2008) (Archived by Internet Archive's Wayback Machine on Feb. 14, 2008)
1078	Megowan et al., Infrared Data Association® (IrDA®) Object Exchange Protocol OBEX™ Version 1.5 (Aug. 14, 2009).
1079	U.S. Patent No. 7,333,514 to Anehem et al. ("**Anehem**")
1080	U.S. Patent Application No. 11/804,359 to McKillop et al. ("**As-Filed McKillop Application**")
1081	Defendant Lenovo's Supplemental Notice Regarding Prior Art Invalidity Grounds, Document No. 96, Case No. 5:23-cv-00493 (E.D.N.C.)
1082	United States District Courts Judicial Caseload Profile

I. INTRODUCTION

Petitioner respectfully request that the Board recognize Shelby A. Stepper as *pro hac vice* counsel for this proceeding. Patent Owner has indicated that it does not oppose.

II. BACKGROUND

Petitioner's Unopposed Motion for *Pro Hac Vice* Admission is being filed pursuant to and in compliance with the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, which was filed December 28, 2023 (Paper 3) (the "Notice"). The Notice authorizes the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Further to the Notice, such "motions shall be filed in accordance with the 'Order – Authorizing Motion for *Pro Hac Vice* Admission' in Case IPR2013-00639, Paper 7" (the "Order").

III. TIME OF FILING

This Unopposed Motion for *Pro Hac Vice* admission is being filed in accordance with the Notice Authorizing the Filing of a Motion for *Pro Hac Vice* admission and is filed greater than 21 days after the filing date accorded to the petition for *inter partes* review of December 20, 2023.

IV. STATEMENT OF FACTS

As required by the Order, the following statement of facts, supported by the attached Declaration of Shelby A. Stepper in Support of Motion for *Pro Hac Vice* Admission (EX1083), shows that there is good cause for the Patent Trial and Appeal Board ("Board") to recognize Shelby A. Stepper's *pro hac vice* in this proceeding. As required by 37 C.F.R. § 42.10(c), lead counsel, Andrew M. Mason, is a registered practitioner experienced in proceedings before the USPTO.

Shelby A. Stepper is an experienced patent litigation attorney. Shelby A. Stepper has been litigating intellectual property disputes for more than four years, and has been involved in numerous patent litigation cases in federal courts. Shelby A. Stepper's experience includes representing a wide range of clients in complex intellectual property litigation. Shelby A. Stepper is a member in good standing of the Oregon State Bar, with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations, and is admitted to practice in the United States Court of Appeals for the Federal Circuit.

Shelby A. Stepper's mailing address is Klarquist Sparkman, LLP, 121 SW Salmon Street, Suite 1600, Portland, Oregon, 97204, his email address is shelby.stepper@klarquist.com, and her phone number is (503) 595-5300.

Shelby A. Stepper has worked with lead counsel in most aspects of this proceeding. As such, Shelby A. Stepper has reviewed and is very familiar with (i) U.S. Patent No. 8,737,933, the patent at issue in this proceeding; (ii) the prior art relied upon in Petitioner's Petition; (iii) the legal and factual arguments that have been addressed by Petitioner; and (iv) the developments in this proceeding since the filing of Petitioner's Petition, as well as the developments in related matters before the Board. Accordingly, she has established familiarity with the subject matter at issue in these proceedings and the conduct of these proceedings to date.

Shelby A. Stepper has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of 37 C.F.R., and she agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§11.1 *et seq*., and to disciplinary jurisdiction under 37 C.F.R. §11.19(a).

In the last three (3) years, Shelby A. Stepper has applied to appear *pro hac vice* before the United States Patent and Trademark Office in another proceeding.

Petitioner's Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Shelby A. Stepper (EX1083) as required by the Order.

V. <u>ANALYSIS</u>

The facts described above and in the Declaration of Shelby A. Stepper (EX1083) establish that there is good cause to admit Ms. Stepper *pro hac vice* in this

proceeding under 37 C.F.R. § 42.10(c). Lead counsel is a registered practitioner, Shelby A. Stepper is an experienced patent litigation attorney, and Ms. Stepper has an established familiarity with the subject matter at issue in these proceedings.

VI. CONCLUSION

Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Shelby Stepper *pro hac vice* during these proceedings.

Respectfully submitted,

Dated: October 24, 2024

By: /Andrew M. Mason/

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CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6 (E)(4)

The undersigned certifies that on October 24, 2024, a complete copy of **PETITIONER'S UNOPPOSED MOTION FOR ADMISSION *PRO HAC VICE* OF SHELBY A. STEPPER PURSUANT TO 37 C.F.R. § 42.10(c)** was served on counsel for the Patent Owner via electronic mail as follows:

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