UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NINTENDO CO., LTD., and
NINTENDO OF AMERICA INC.,
Petitioners,

v.

AMERICAN GNC CORPORATION,
Patent Owner

IPR2024-00667
U.S. Patent No. 6,508,122 B1

UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF COREY JOHANNINGMEIER

Patent Owner's Exhibit List	
EX2001	Declaration of Corey Johanningmeier In Support Of Motion For *Pro Hac Vice* Admission

Pursuant to 37 C.F.R. §42.10(c), and as authorized in the Board's Notice of Filing Date Accorded to Petition (Paper 4), Patent Owner respectfully requests *pro hac vice* admission of Corey Johanningmeier as counsel in this proceeding. Patent Owner has conferred with Petitioner, and Petitioner does not oppose this request.

I. TIME FOR FILING

This Motion is timely because it is being filed no sooner than twenty-one (21) days after service of the Petition in this proceeding, which occurred on March 7, 2024.

II. STATEMENT OF FACTS

The following statement of facts demonstrates that there is good cause for the Board to recognize Corey Johanningmeier as counsel *pro hac vice* in this proceeding.

Mr. Johanningmeier is an experienced litigation attorney and has an established familiarity with the subject matter at issue in this proceeding. Mr. Johanningmeier has been practicing law since 2007 and has extensive experience litigating patent infringement cases in different District Courts across the country and in the Federal Circuit. Among his experience in patent litigation matters, Mr. Johanningmeier has participated in multiple trials, *Markman* hearings, patent summary judgment proceedings, and other patent-related hearings and

pleadings concerning, *inter alia*, patent validity and infringement issues, and has presented and cross-examined inventors and expert witnesses in patent trials. Mr. Johanningmeier has also been recognized as a leading patent litigation attorney, including through invitations to speak and publish on patent litigation matters, and has also been recognized as a "Super Lawyers Rising Star," a "Super Lawyer," and a Managing Intellectual Property "IP STAR."

Mr. Johanningmeier is familiar with U.S. Patent No. 6,508,122 ("the '122 Patent") and the issues involved in this proceeding. Mr. Johanningmeier is the lead attorney representing Patent Owner against Petitioner as counsel in the pending District Court litigation—where Patent Owner has asserted infringement of the '122 Patent—and has been actively involved with representing Patent Owner in that action since its commencement in March of 2023. As lead counsel in the District Court litigation, Mr. Johanningmeier is very familiar with asserted '122 Patent, including with respect to validity issues. Accordingly, Patent Owner prefers that Mr. Johanningmeier continue as counsel in this IPR proceeding regarding the '122 Patent, as reflected in American GNC's Power of Attorney. Additionally, Mr. Johanningmeier was admitted *pro hac vice* in the following unrelated *Inter Partes* Review proceedings before the Board: IPR2020-00122, IPR2020-00123, IPR2022-00575, IPR2022-00576, IPR2022-01283, IPR2021-

00076, IPR2021-00077, IPR2022-00792, IPR2023-00694, IPR2023-00697, and IPR2023-00698.

Counsel for Patent Owner has conferred with counsel for Petitioner, and Petitioner does not oppose Mr. Johanningmeier's admission *pro hac vice*.

III. DECLARATION OF COREY JOHANNINGMEIER

This Motion is accompanied by the Declaration of Corey Johanningmeier in Support of Motion for *Pro Hac Vice* Admission (EX2001) attesting to the requirements laid out in the Board's Order Authorizing Motion for *Pro Hac Vice* Admission in *Unified Patents v. Parallel Iron*, No. IPR2013-00639 (Paper 7) (P.T.A.B. Oct. 15, 2013).

IV. CONCLUSION

For the foregoing reasons as well as the reasons explained in Exhibit 2001, Patent Owner respectfully requests admission of Corey Johanningmeier as counsel *pro hac vice*.

Dated: April 29, 2024

/s/ Brenda Entzminger

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CERTIFICATE OF SERVICE

Petitioners have consented to e-mail service in this proceeding. Pursuant to 37 C.F.R. §42.6, the undersigned certifies that on April 29, 2024, a copy of the foregoing document was served by email upon the following counsel at the below email addresses:

Matthew J. Brigham (Reg. No. 44,047)
Andrew C. Mace (Reg. No. 63,342)
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Dated: April 29, 2024

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