

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC.,
Petitioner,

v.

MULTIMEDIA TECHNOLOGIES PTE. LTD.,
Patent Owner.

Case No. IPR2024-00723

U.S. Patent No. 9,578,384

**PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION OF
RYAN A. HARGRAVE**

Petitioner VIZIO, Inc. (“Petitioner”) respectfully requests that the Board recognize Ryan A. Hargrave, Esq. as *pro hac vice* and backup counsel for Petitioner for this proceeding.

I. BACKGROUND

Petitioner’s 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 (Paper 5) (the “Notice”). The Notice authorizes 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”).

II. TIMING OF FILING

This 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 twenty-one days after that Notice.

III. STATEMENT OF FACTS

As required by the Order, the following statement of facts, supported by the attached Declaration of Ryan A. Hargrave in Support of Motion for *Pro Hac Vice* Admission (Ex. 1052), shows that there is good cause for the Patent Trial and Appeal Board (“Board”) to recognize Ms. Hargrave *pro hac vice* in this proceeding. As

required by 37 C.F.R. § 42.10(c), Petitioner's lead counsel, Rex Hwang, is a registered practitioner experienced in proceedings before the USPTO.

Ms. Hargrave is an experienced litigation attorney at Skiermont Derby LLP. (Ex. 1052 at ¶ 2.) Ms. Hargrave has been a litigating attorney for more than fourteen years. Ms. Hargrave is admitted to the U.S. Court of Appeals for the Federal Circuit and has served as counsel in numerous patent litigation lawsuits before the U.S. District Courts for the Northern, Eastern, Southern, and Western Districts of Texas. (*Id.*).

Ms. Hargrave has an established familiarity with the subject matter at issue in this proceeding. (*Id.* at ¶ 10.) Ms. Hargrave has reviewed U.S. Patent No. 9,578,384 (the "'384 patent"), the patent-at-issue, and other papers associated with this matter. (*Id.*) Ms. Hargrave is counsel for Petitioner in the related district court case, *Multimedia Technologies Pte. Ltd. v. VIZIO, Inc.*, No. 2:23-cv-00124-JRG-RSP (E.D. Tex.), in which Patent Owner has asserted the '384 patent against Petitioner. (*Id.*)

In addition, Ms. Hargrave is a member in good standing of the State Bar of Texas. (*Id.* at ¶ 1.) Ms. Hargrave has never been suspended or disbarred from practice before any court or administrative body. (*Id.* at ¶ 3.) Ms. Hargrave has never had an application for admission to practice before any court or administrative body denied. (*Id.* at ¶ 4.) Ms. Hargrave has never had sanctions or contempt citations

imposed by any court or administrative body. (*Id.* at ¶ 5.) Ms. Hargrave has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of title 37 of the Code of Federal Regulations. (*Id.* at ¶ 6.) Ms. Hargrave agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101, *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (*Id.* at ¶ 7.) Ms. Hargrave has appeared *pro hac vice* before the Board in Proceeding Nos. IPR2022-00236, IPR2022-00237, IPR2022-00418, IPR2022-00744, and IPR2022-00745 in the last three years. (*Id.* at ¶ 8.)

IV. REASONS FOR GRANTING THE MOTION

The Board may recognize counsel *pro hac vice* during a proceeding “upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose.” 37 C.F.R. § 42.10(c). For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon showing that counsel who is seeking *pro hac vice* admission is “an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” (*Id.*) The motion for *pro hac vice* admission must contain a statement of facts showing good cause and be accompanied by a declaration of the individual who is seeking admission. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper No. 7 at 3-4

(P.T.A.B. Oct. 15, 2013). The declaration in turn must contain certain attestations. (*Id.*)

This motion and the accompanying declaration meet all of the Board's requirements. The lead counsel in this proceeding, Rex Hwang, is a registered practitioner. (*Id.* at ¶ 9.) Ms. Hargrave is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding. (See Ex. 1052 at ¶¶ 2, 10.) Ms. Hargrave's declaration makes the necessary attestations. (*Id.* at ¶ 11.)

V. CONCLUSION

For the foregoing reasons, Petitioner submits that there is good cause for the Board to recognize Ms. Hargrave as *Pro Hac Vice* counsel and backup counsel for Petitioner during this proceeding. Petitioner's Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Ryan A. Hargrave as required by the Order.

Dated: January 10, 2025

Respectfully Submitted,

/Rex Hwang/

Counsel for Petitioner

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 10, 2025, a copy of the foregoing Petitioner's Motion for *Pro Hac Vice* Admission of Ryan A. Hargrave and accompanying declaration were served via electronic mail to the attorneys of record for the Patent Owner as follows:

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Dated: January 10, 2025

Respectfully submitted,

/Rex Hwang/

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