UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

THETA IP, LLC,
Patent Owner

IPR2024-00816
U.S. Patent No. 7,010,330

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 6), Patent Owner Theta IP, LLC ("Theta") 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 May 1, 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. 7,010,330 ("the '330 Patent") and the issues involved in this proceeding. Mr. Johanningmeier is one of the primary attorneys representing Patent Owner against Petitioner and others as counsel in pending District Court litigations—where Patent Owner has asserted infringement of the '330 Patent and related patents in the same patent family, and where defendants have raised invalidity challenges—and has been actively involved with representing Patent Owner in that and related actions on related Theta patents since.

Mr. Johanningmeier was one of the primary attorneys representing Theta in the District Court litigation involving the '330 Patent and/or patents in the same patent family in the following District Court proceedings:

- *Theta IP, LLC v. Samsung Electronics Co., Ltd.*, No. WA:20-cv-00160-AD (W.D. Tex.)

- *Theta IP, LLC v. Motorola Mobility LLC, et al.*, No. 1:22-cv-03441 (N.D. Ill.)
- *Theta IP, LLC v. Apple Inc.*, No. 6:23-cv-00314-ADA (W.D. Tex.)

As a counsel in the various District Court litigations, Mr. Johanningmeier is very familiar with the challenged ’330 Patent, including with respect to validity issues.

Mr. Johanningmeier was also principally involved in three IPR proceedings involving the Theta patent family challenged by Petitioner in this and related proceedings, where he was admitted *pro hac vice*:

- *Lenovo (United States) Inc. & Motorola Mobility LLC v. Theta IP LLC*, No. IPR2023-00694 (Patent 7,010,330 B1)
- *Lenovo (United States) Inc. & Motorola Mobility LLC v. Theta IP LLC*, IPR2023-00697 (Patent 10,129,825 B2)
- *Lenovo (United States) Inc. & Motorola Mobility LLC v. Theta IP LLC*, IPR2023-00698 (Patent 10,524,202 B2)

Accordingly, Patent Owner prefers that Mr. Johanningmeier continue as counsel in this IPR proceeding given his familiarity and expertise with the family of patents at issue in this and the related IPR proceedings initiated by Petitioner (for which *pro hac vice* admission is also sought).

Additionally, Mr. Johanningmeier was admitted *pro hac vice* in other unrelated proceedings before the Board: IPR2020-00122, IPR2020-00123,

IPR2022-00575, IPR2022-00576, IPR2022-01283, IPR2021-00076, IPR2021-00077, IPR2022-00792, IPR2024-00667, and IPR2024-00668.

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: August 8, 2024

/s/ Aaron R. Hand

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CERTIFICATE OF SERVICE

Petitioner has consented to e-mail service in this proceeding. Pursuant to 37 C.F.R. §42.6, the undersigned certifies that on August 8, 2024, a copy of the foregoing document was served by email upon the following counsel at the below email addresses:

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