UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Bote, LLC,
Petitioner

v.

Twitch LLC,
Patent Owner.

IPR2024-00889
U.S. Patent No. 10,479,458

PETITIONER'S MOTION FOR ADMISSION
***PRO HAC VICE* OF PAUL J. BRUENE**

Pursuant to Rule 42.10(c), and as authorized by the Board's Notice of Filing Date Accorded to Petition (Paper 3), Petitioner Bote, LLC respectfully requests admission *pro hac vice* of Paul J. Bruene as counsel in this proceeding.

The following statement of facts demonstrates that there is good cause to admit Mr. Bruene *pro hac vice* in this *inter partes* review because: 1) lead counsel is a registered practitioner; and 2) Mr. Bruene is an experienced litigation attorney and has an established familiarity with the subject matter at issue in the proceeding. 37 C.F.R. § 42.10. This motion is accompanied by a Declaration by Mr. Bruene attesting to these facts.

Mr. Bruene has been practicing law in the field of intellectual property, and particularly, patent litigation, for seven years. Mr. Bruene has patent infringement litigation experience in various federal courts, arbitrations and mediations, and International Trade Commission (ITC) investigations. Mr. Bruene has significant experience with legal research, drafting of motions and memoranda and in-depth trial and arbitration preparation. Mr. Bruene has particular experience and familiarity with the substance and technical issues involved in this *inter partes* review, which stem from his representation of Petitioner in a parallel district court case involving the same technical subject matter.

Accordingly, good cause exists under Rule 42.10(c) for the Board to admit Mr. Bruene as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Date: August 4, 2024

/David A. Mancino/

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Counsel for Petitioner
Bote, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Petitioner's Motion for Admission *Pro Hac Vice* of Paul J. Bruene and Declaration in Support was served by electronic mail on August 4, 2024 upon the following:

Michael L. Krashin (lead counsel), mkrashin@bannerwitcoff.com
Alaina Pak (backup counsel), apak@bannerwitcoff.com
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DECLARATION OF PAUL J. BRUENE IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE*

I, Paul J. Bruene, declare:

1. I am a member in good standing of the Bar of the State of Washington. I have also been admitted to practice in the following courts: United States District Court for the Western District of Washington, United States District Court for the Eastern District of Washington.

2. I have never been suspended or disbarred from practice before any court or administrative body.

3. I have never had an application for admission to practice before any court or administrative body denied.

4. No sanction or contempt citation has been imposed against me by any court or administrative body.

5. I have 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, Code of Federal Regulations.

6. I will 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).

7. Within the past three years, I have not applied to appear *pro hac vice* before the Office in an *inter partes* review proceeding.

8. I have been practicing law in the field of intellectual property, and particularly, patent litigation, for seven years. I regularly litigate patent infringement cases in various federal courts, arbitrations and mediations, and International Trade Commission (ITC) investigations. I have significant experience with legal research, drafting of motions and memoranda and in-depth trial and arbitration preparation.

9. I have particular experience and familiarity with the substance and technical issues involved in this *inter partes* review. I currently represent Petitioner in *Twitch LLC v. Bote, LLC*, No. 6:24-cv-00233-KC (W.D. Tex. filed May 3, 2024), a lawsuit for patent infringement that involves the same technical subject matter as the subject matter disclosed and claimed by U.S. Patent No. 10,479,458, the patent at issue in this *inter partes* review, as well as the related Patent No. 9,862,466.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: August 4, 2024

/Paul J. Bruene/

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