

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RECYCLED PLASTICS INDUSTRIES, LLC

Petitioner

v.

TANGENT TECHNOLOGIES, LLC,

Patent Owner

Inter Partes Review No.: IPR2024-00898

U.S. Patent No. 10,981,350

**UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF
JACOB Z. ZAMBRZYCKI UNDER 37 C.F.R. § 42.10**

List of Exhibits

Exhibit No.	Description
RPI1001	U.S. Patent No. 10,981,350 (marked as Exhibit 4 during deposition of Francisco Morales in district court litigation)
RPI1002	USPTO Assignments on the Web for U.S. Patent No. 10,981,350
RPI1003	U.S. Provisional Patent Application No. 62/208,928 (marked as Exhibit 8 during deposition of Francisco Morales in district court litigation)
RPI1004	File History of U.S. Patent No. 10,981,350 (marked as Exhibit 7 during deposition of Francisco Morales in district court litigation)
RPI1005	Declaration of Dr. Karl Englund
RPI1006	<i>Curriculum Vitae</i> of Dr. Karl Englund
RPI1007	Deposition Transcript of Francisco Morales, <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis. Mar. 12, 2024)
RPI1008	Defendant Recycled Plastics Industries, LLC’s Amended Notice of Rule 30(b)(6) Deposition to Plaintiff Tangent Technologies, LLC, <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis. Mar. 6, 2024) (marked as Exhibit 1 during deposition of Francisco Morales in district court litigation)
RPI1009	E-mail from J. Oehler to J. Zambrzycki (April 19, 2024) regarding <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis.)
RPI1010	“SMB Extrusion Melt Blender,” StaMixCo (2007) (StaMixCo) (marked as Exhibit 10 during deposition of Francisco Morales in district court litigation)
RPI1011	Korean Patent No. 10-1338611 with Certified Translation (Nam)

Exhibit No.	Description
RPI1012	Zumbrunnen, D.A., “Chaotic Advection and Its Application to Extruding Micro- and Nanostructured Plastic Materials,” <i>Applied Plastics Engineering Handbook</i> (2011), 401-415 (Zumbrunnen)
RPI1013	U.S. Patent No. 9,527,341 (Rassi)
RPI1014	Defendant Recycled Plastics Industries, LLC’s Proposed Claim Constructions, <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis. Apr. 26, 2024)
RPI1015	Plaintiff Tangent Technologies, LLC’s Proposed Constructions for Disputed Claim Terms, <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis. Apr. 26, 2024)
RPI1016	Gardner, D. J. et al., “Wood-Plastic Composite Technology,” <i>Curr Forestry Rep</i> (June 4, 2015), 1:139-150 (Gardner)
RPI1017	Holden, B., “10 Things You Need To Know About Plastic Lumber,” <i>American Woodworker</i> (May 2005), 54-60 (American Woodworker)
RPI1018	Platt, B. et al., <i>The Healthy Building Network’s Guide to Plastic Lumber</i> (2005) (Platt)
RPI1019	U.S. Patent No. 9,359,762 (Nichols)
RPI1020	Internet Archive Affidavit of Nathaniel Frank-White (May 1, 2024) with Exhibits A-B
RPI1021	Meijer, H.E.H. et al., “On the performance of static mixers: a quantitative comparison,” <i>Progress in Polymer Science</i> (Jan. 1, 2012) 37(10):1333-49 (Meijer)
RPI1022	U.S. Patent No. 3,881,984 (Soda)
RPI1023	Saatdjian, E. et al., “On chaotic advection in a static mixer,” <i>Chemical Engineering Journal</i> (2012), 289-298 (Saatdjian)
RPI1024	Reserved

Exhibit No.	Description
RPI1025	U.S. Patent Application Publication No. 2012/0007277 (Nakamura)
RPI1026	U.S. Patent No. 9,533,444 (Philpot)
RPI1027	U.S. Patent Application Publication No. 2010/0032861 (Pietruczynik)
RPI1028	International Published Patent Application WO 98/52996 (Dorchester)
RPI1029	Kim, J. K. and Pal, Kaushik, <i>Recent Advances in the Processing of Wood-Plastic Composites</i> (2010) (Kim)
RPI1030	Wolcott, M. P. and Englund, K., “A technology review of wood-plastic composites,” <i>33rd International Particleboard Composite Materials Symposium</i> (January 1999), 103-111 (Wolcott)
RPI1031	Sidharta, A., “Wood Plastic Composites (WPCs) as an Alternative to Solid Lumber,” University of British Columbia (2011) (Sidharta)
RPI1032	United States Patent Application Publication No. 2015/0044434 (Kotiadis)
RPI1033	ASTM Standard Specification for Polyolefin-Based Plastic Lumber Decking Boards, D6662-13 (June 2013) (ASTM D6662-13)
RPI1034	Defendant Recycled Plastics Industries, LLC’s Notice of Deposition of Francisco Morales, <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis. Mar. 6, 2024) (marked as Exhibit 2 during deposition of Francisco Morales in district court litigation)
RPI1035	Plaintiff Tangent Technologies, LLC’s Initial Disclosures, <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis. Nov. 30, 2023) (marked as Exhibit 3 during deposition of Francisco Morales in district court litigation)

Exhibit No.	Description
RPI1036	United States Design Patent No. D819,234 (marked as Exhibit 5 during deposition of Francisco Morales in district court litigation)
RPI1037	United States Design Patent No. D819,235 (marked as Exhibit 6 during deposition of Francisco Morales in district court litigation)
RPI1038	StaMixCo Principles of Operation Webpage Printout (Wayback Machine) (marked as Exhibit 9 during deposition of Francisco Morales in district court litigation)
RPI1039	Excerpts from File History of United States Design Patent No. D819,234 (marked as Exhibit 11 during deposition of Francisco Morales in district court litigation)
RPI1040	Excerpts from File History of United States Design Patent No. D819,235 (marked as Exhibit 12 during deposition of Francisco Morales in district court litigation)
RPI1041	Tangent Residential Materials Brochure (marked as Exhibit 13 during deposition of Francisco Morales in district court litigation)
RPI1042	Plaintiff Tangent Technologies, LLC's First Amended Complaint, <i>Tangent Techs., LLC v. Recycled Plastics Indus., LLC</i> , Case No. 1:23-cv-00261-WCG (E.D. Wis. May 18, 2023) (marked as Exhibit 14 during deposition of Francisco Morales in district court litigation)
RPI1043	Photographs of Surfaces of Three Products (marked as Exhibit 15 during deposition of Francisco Morales in district court litigation)
RPI1044	Photographs of Cross-Sections of Three Products (marked as Exhibit 16 during deposition of Francisco Morales in district court litigation)

Zambrzycki *Pro Hac Vice* Motion
U.S. Patent No. 10,981,350

Exhibit No.	Description
RPI1045	Zambrzycki Declaration and Biography in Support of Motion for <i>Pro Hac Vice</i>

Petitioner respectfully requests that the Board recognize Jacob Z. Zambrzycki as counsel *pro hac vice* for the above-captioned proceeding in accordance with 37 C.F.R. § 42.10(c). The lead counsel, Bruce J. Rose, is a registered practitioner (Reg. No. 37,431).

Patent Owner has indicated that it does not oppose this motion.

I. Time for Filing

This Motion for *Pro Hac Vice* Admission is being filed no sooner than twenty-one (21) days after service of the Petition, as required by the Order Authorizing Motion for *Pro Hac Vice* Admission referenced in the Notice of Filing Date entered on May 30, 2024.

II. Statement of Facts

As required by the Order Authorizing Motion for *Pro Hac Vice* Admission, the following statement of facts demonstrates good cause for the Board to recognize Mr. Zambrzycki *pro hac vice*. See *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7, (PTAB Oct. 15, 2013) (representative “Order – Authorizing Motion for Pro Hac Vice Admission”). Mr. Zambrzycki is an experienced litigation attorney and has been involved in numerous litigations involving patent infringement in U.S. District Courts across the country, the U.S. Court of Appeals for the Federal Circuit, and the International Trade Commission. Mr. Zambrzycki has not applied to appear *pro hac vice* in any proceeding before the

Board in the last three years. Mr. Zambrzycki has been a litigation attorney for 15 years, and has represented a wide range of clients in patent litigation matters.

Mr. Zambrzycki is extremely familiar with the subject matter at issue in this proceeding. For instance, Mr. Zambrzycki was involved in preparing the Petition in this proceeding. Furthermore, U.S. Patent No. 10,981,350 (“’350 patent”) is currently being asserted by the Patent Owner against the Petitioner in an infringement suit pending in the U.S. District Court for the Eastern District of Wisconsin. *Tangent Technologies LLC v. Recycled Plastics Industries LLC*, Case No. 1:23-cv-00261-WCG. The Patent Owner filed the operative Amended Complaint in the district court litigation on May 18, 2023. Mr. Zambrzycki has represented the Petitioner in the district court litigation since that time. As a result of his involvement in the litigation and in preparing the Petition, Mr. Zambrzycki has gained relevant technical knowledge and experience related to the ’350 patent, including with respect to the technology described and claimed in the ’350 patent, the state of the art, the prior art generally, and the prior art references cited in the Petition.

III. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by the Declaration and Biography of Jacob Zambrzycki (RPI1045) as required by the Order Authorizing Motion for *Pro Hac Vice* Admission. In this Declaration, Mr.

Zambrzycki states compliance with the general requirements for *pro hac vice* admission, including that he is a member in good standing of the Bar of the State of New York and the Bar of the State of California, and is admitted to practice before the U.S. Court of Appeals for the Federal Circuit, and the U.S. District Courts for the Southern District of New York, the Northern District of California, and the Central District of California. Mr. Zambrzycki also states that he has never been suspended, disbarred, sanctioned, or cited for contempt by any court or administrative body; he has never had a court or administrative body deny his application for admission to practice; he 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; and he agrees to be subject to the United States Patent and Trademark Office 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). In addition, Mr. Zambrzycki states that he has familiarity with the subject matter at issue in this *inter partes* review proceeding. He further states that he has not applied to appear *pro hac vice* in any proceeding before the Board in the last three years.

Accordingly, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Zambrzycki as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Dated: September 3, 2024

/ J. Mark Wilson /

Bruce J. Rose (Reg. No. 37,431)

J. Mark Wilson (Reg. No. 45,226)

Samuel C. Merritt (Reg. No. 72,017)

Moore & Van Allen PLLC

100 North Tryon Street

Suite 4700

Charlotte, NC 28202

Telephone No.: (704) 331-1000

Facsimile No.: (704) 331-2390

brucerose@mvalaw.com

markwilson@mvalaw.com

sammerritt@mvalaw.com

Counsel for Petitioner

Recycled Plastics Industries, LLC

Certificate of Service

I hereby certify that on September 3, 2024, I caused a true and correct copy of the foregoing materials to be served via electronic mail on the following counsel of record for the Petitioner:

Michael P. Chu
Amol A. Parikh
James M. Oehler
McDermott Will & Emery LLP
444 West Lake Street
Chicago, IL 60606
mchu@mwe.com
amparikh@mwe.com
joehler@mwe.com

Date: September 3, 2024

By: / J. Mark Wilson /
J. Mark Wilson