UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOMMY JOHN, INC.,
Petitioner,

v.
0912139 B.C. LTD.
(PAKAGE APPAREL, INC.),
Patent Owner.

IPR2024-01163
Patent 10,834,974

MOTION FOR *PRO HAC VICE* ADMISSION

UNDER 37 C.F.R. § 42.10

The Patent Owner respectfully requests that the Board recognize Mr. Timothy E. Bond as counsel *pro hac vice* during this proceeding.

1. 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* entered October 15, 2013.

2. Statement of Facts

As required by the Order Authorizing Motion for *Pro Hac Vice,* the following statement of facts shows that there is good cause for the Board to recognize Mr. Bond p*ro hac vice.*

Mr. Bond is a litigation attorney, and has been involved in litigations in numerous district and state courts. He has experience drafting litigation materials and arguing motions and trial experience. Mr. Bond's biography can be found at https://dtlawyers.com/attorneys/timothy-bond/.

U.S. Patent No. 10,834,974 is currently asserted by Patent Owner Pakage Apparel, Inc. in a co-pending litigation, *Pakage Apparel, Inc. v. Tommy John, Inc.,* No. 4:23-cv-04337 (S.D. Tex.) ("the co-pending litigation"). Mr. Bond is counsel for Patent Owner in the co-pending litigation and, as such, has an established familiarity with the subject matter at issue in this proceeding. In the co-pending

litigation Mr. Bond assisted in drafting the complaint and has reviewed the filings and documents relevant to Patent Owner's claims, including information which is relevant to the petition requesting *inter partes* review of U.S. Patent No. 10,834,974. Patent Owner wishes to continue using Mr. Bond as counsel in this proceeding.

Further, counsel for Petitioner does not oppose Mr. Bond appearing *pro hac vice* during this proceeding.

Therefore, Patent Owner respectfully submits that there is good cause for the Board to recognize Mr. Bond as counsel *pro hac vice* during this proceeding.

3. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Mr. Timothy E. Bond as required by the Order Authorizing Motion for *Pro Hae Vice* entered October 15, 2013.

Date: August 7, 2024

Respectfully submitted,

DANIELS & TREDENNICK, PLLC

/s/ John F. Luman, III
John F. Luman III (Reg. No. 43,763)
Lead Counsel for Pakage Apparel, Inc.

AFFIDAVIT OF MR. TIMOTHY E. BOND IN SUPPORT OF

MOTION FOR *PRO HAC VICE* ADMISSION

I, Timothy E. Bond, being duly sworn and upon oath, hereby attests to the following:

1. I am a member in good standing of the Bar of Texas, as well as the following Federal Courts:

a) U.S. District Court for the Southern District of Texas (2023);

b) U.S. District Court for the Northern District of Texas (2024);

c) U.S. District Court for the Western District of Texas (2024);

d) U.S. District Court for the Eastern District of Texas (2023);

2. I have not 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 fo1ih in part 42 of the C.F.R.;

6. I will be subject to the USPTO Code of Professional Responsibility set forth

in 37 C.F.R. §§ 10.20 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);

7. I have not applied to appear *pro hac vice* before the Office in any other proceeding in the last three (3) years; and

8. I am a litigation attorney, with experience in litigations in numerous district and state courts, including experience drafting litigation materials, arguing motions, and at trial. My biography can be found at https://dtlawyers.com/attorneys/timothy-bond/. I am counsel for Pakage Apparel, Inc. in a co-pending litigation in which U.S. Patent No. 10,834,974 is asserted against Tommy John, Inc. I am familiar with the subject matter at issue in this proceeding as result, including the prior art relevant to this request, as well as the filings and documents related to the litigation.

Timothy E. Bond
DANIELS & TREDENNICK, PLLC
6363 Woodway, Ste 700
Houston, Texas 77057
T: 713-917-0024
F: 713-917-0026

SUBSCRIBED AND SWORN TO BEFORE ME on this 7th day of August, 2024.

SARA BEAN
Notary Public, State of Texas
Comm. Expires 08-01-2027
Notary ID 132110794

Notary Public in and for the State of Texas

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Petitioner, a true and correct copy of **PATENT OWNER'S MANDATORY NOTICE** is being served electronically on August 7, 2024, to the e-mail addresses shown below:

Joseph Raffetto USPTO Reg. No. 66,218 joseph.raffetto@hoganlovells.com Postal & Hand-Delivery Address: HOGAN LOVELLS US LLP 555 13th Street, N.W. Washington, DC 20004 T: 202-637-5600 F: 202-637-5910	Scott Hughes USPTO Reg. No. 68,385 scott.hughes@hoganlovells.com Postal & Hand-Delivery Address: HOGAN LOVELLS US LLP 555 13th Street, N.W. Washington, DC 20004 T: 202-637-5600 F: 202-637-5910

Date: August 7, 2024

/s/ John F. Luman, III
John F. Luman III (Reg. No. 43,763)
Lead Counsel for Pakage Apparel, Inc.