

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESMED CORP.,
Petitioner,

v.

CLEVELAND MEDICAL DEVICES, INC.,
Patent Owner.

Case IPR2025-00158
U.S. Patent No. 11,690,512

**UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION OF TIMOTHY LAYDEN**

Motion for *Pro Hac Vice* Admission of Timothy Layden
IPR2025-00158 (U.S. Patent No. 11,690,512)

Patent Owner, Cleveland Medical Devices Inc. (“Patent Owner” or “CleveMed”), respectfully requests *pro hac vice* admission of Timothy Layden as back-up counsel in this proceeding.

I. INTRODUCTION

In accordance with 37 C.F.R. § 42.10(c) CleveMed respectfully moves for the admission *pro hac vice* of Timothy Layden, Esq. of the law firm of Herbert Smith Freehills Kramer (US) LLP, 333 Twin Dolphin Drive, Suite 700, Redwood Shores, CA 94065, for purposes of appearance as back-up counsel on behalf of CleveMed, in this proceeding. The parties have conferred, and ResMed Corp., does not oppose this Motion.

II. STATEMENT OF THE FACTS

Based on the following facts, and supported by the Declaration of Timothy Layden submitted herewith as Exhibit 2013, CleveMed hereby requests *pro hac vice* admission of Mr. Layden in this proceeding. Lead Counsel for Patent Owner, James Hannah, is a registered practitioner, Reg. No. 56,369. Mr. Layden is an associate at the law firm Herbert Smith Freehills Kramer (US) LLP. Mr. Layden is an experienced litigation attorney with over six (6) years practicing law, including litigating patent cases in district courts. Ex. 2013, ¶¶ 2, 9.

III. GOOD CAUSE EXISTS FOR *PRO HAC VICE* ADMISSION OF MR. LAYDEN

Patent Owner meets the conditions outlined in 37 C.F.R. § 42.10(c) and the Order Authorizing Motion for *Pro Hac Vice* Admission in *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639, Paper 7 (P.T.A.B. Oct. 15, 2013). Good cause exists to permit Mr. Layden to be admitted *pro hac vice* in this matter. Mr. Layden is an experienced litigation attorney. Mr. Layden has extensive experience representing numerous clients in federal courts around the country in intellectual property disputes, involving a wide range of technologies, including e-commerce, computer software, encryption, telecommunications, network architecture, and mobile applications. Ex. 2013, ¶ 2.

Mr. Layden has also been involved in litigation matters pertaining to U.S. Patent No. 11,690,512 (“the ’512 Patent”) at the district court, including *ResMed Corp. v. Cleveland Medical Devices, Inc.*, Case No. 1:23-cv-02221-BMB (N.D. Ohio). Mr. Layden has established familiarity with the subject matter of this proceeding, including the ’512 Patent, the prosecution history, and has become familiar with the invalidity positions. Due to Mr. Layden’s extensive familiarity with the underlying facts and his litigation experience, his expertise is important in the representation of Patent Owner in this proceeding. Ex. 2013, ¶ 9.

Motion for *Pro Hac Vice* Admission of Timothy Layden
IPR2025-00158 (U.S. Patent No. 11,690,512)

Respectfully submitted,

Dated: August 22, 2025

/James Hannah/

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(Case No. IPR2025-00158)

Attorneys for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), and pursuant to agreement by the parties that filing with the Board through the PTACTS constitutes electronic service, if Patent Owner provides the foregoing document (excluding exhibits), service was made on the Petitioner as detailed below.

<i>Date of service</i>	August 22, 2025
<i>Manner of service</i>	Electronic Filing and Electronic Mail (PH-ResMed-CleveMed@paulhastings.com)
<i>Documents served</i>	UNOPPOSED MOTION FOR <i>PRO HAC VICE</i> ADMISSION OF TIMOTHY LAYDEN
<i>Persons Served</i>	Paul Hastings LLP Lisa K. Nguyen David M. Tennant Grace Wang Kevin Stewart

/James Hannah/
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Lead Counsel for Patent Owner