

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Google LLC,
Petitioner,

v.

Withrow Networks Inc.,
Patent Owner

Case No. IPR2025-00775
U.S. Patent No. 10,771,849

**PATENT OWNER'S MOTION FOR THE ADMISION OF FRANCISCO A.
VILLEGAS, ESQ., *PRO HAC VICE***

EXHIBIT LIST

Exhibit No.	Description
2001	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Complaint file May 24, 2024 (D.I. 1) ("Complaint")
2002	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Order Denying Motion to Dismiss dated January 21, 2025 (D.I. 44) ("Order Denying Motion to Dismiss")
2003	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Answer filed February 4, 2025 (D.I. 48) ("Answer")
2004	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), the parties' Joint Case Management Statement dated February 7, 2025 (D.I. 48) ("Joint Case Management Statement")
2005	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Motion to Stay Case Pending the Resolution of Petition for <i>Inter Partes</i> Review dated March 25, 2025 (D.I. 60) ("Motion to Stay")
2006	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Opposition to Motion to Stay dated April 8, 2025 (D.I. 63) ("Opposition to Motion to Stay")
2007	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Reply Re Motion to Stay Case Pending the Resolution of Petition for <i>Inter Partes</i> Review dated April 15, 2025 (D.I. 70) ("Reply re Motion to Stay")
2008	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Stipulation and Order re Electronically Stored Information dated March 24, 2025 (DJ. 59) ("ESI Order")
2009	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Order re Dispute re Proposed Protective Order dated March 28, 2025 ("Order on Discovery Letter Brief")
2010	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), Stipulated Protective Order dated April 10, 2025 ("SPO")
2011	Judge P. Casey Pitts Standing Order for Civil Cases (Aug. 2024)
2012	Exhibit O to Invalidity Contentions Served in NDCA Litigation
2013	<i>Withrow Networks, Inc. v. Google, LLC and YouTube, LLC</i> , No. 5:24-cv-03203-PCP (NDCA), The Parties' Joint Claim Construction and Prehearing Statement dated June 23, 2025 (D.I. 92, 92-1) ("JCCPS")

Exhibit No.	Description
2014	Declaration of Matthew Goldman
2015	December 17, 2025 Deposition Transcript of Nathaniel Polish, Ph. D.
2016	CV of Matthew Goldman
2017	Printout of movy.tv website from Internet Archive
2018	Christian Pillsbury, "Gone in a Flash: a brief history of HTTP Adaptive Streaming", MUX, October 10, 2022, <i>available at</i> Gone in a Flash: a brief history of HTTP Adaptive Streaming Mux (last accessed January 18, 2026)
2019	Video titled "Movidity mymovy.com streaming video on BlackBerry 8700", <i>available at</i> https://youtu.be/zN34b_MJKH8 (last accessed January 18, 2026)
2020	Press release titled "Movidity Demonstrated at JavaOne Conference," May 12, 2006.
2021	"Apple's First iPhone: How It Looked and What It Could Do," T-Mobile, October 14, 2025, <i>available at</i> Apple's First iPhone: How It Looked And What It Could Do T-Mobile (last accessed January 18, 2026)
2022	Printout of Garth Johnston, "ABC.com Unveils 'HD' Video Player," Broadcasting & Cable, April 2, 2007 from Internet Archive.
2023	[reserved]
2024	Pickle, Brian. "Buffer Definition." TechTerms.com. (December 28, 2023). Accessed Jan 18, 2026. https://techterms.com/definition/buffer
2025	"Stateful vs Stateless Architecture," Geeks for Geeks (September 19, 2025), <i>available at</i> Stateful vs. Stateless Architecture - GeeksforGeeks , last accessed January 19, 2026.
2026	Patent Appl. Pub. No. US 2009/0254657 ("Melnyk")
2027	Ricardo R. Pastrana-Vidal <i>et al.</i> , "Sporadic Frame Dropping Impact on Quality Perception," Human Vision and Electronic Imaging IX, The International Society for Optical Engineering, Vol. 5292, June 2004.
2028	Giuliano Casale <i>et al.</i> , "Performance Issues in Video Streaming Environments." 2005 Workshop on Techniques, Methodologies and Tools for Performance Evaluation of Complex Systems (FIRB-PERF'05), 2005.
2029	J. Welch <i>et al.</i> , "A Proposed Media Delivery Index," IEEE Network Working Group Internal Draft (August 2005).
2030	Tom Gerstel, "Streams and Standards Delivering Mobile Video," ACM Queue, May 2005.
2031	Chang-Wen Chen & Houqiang Li, Video Streaming to Mobile Handheld Devices: Challenges in Decoding, Adaptation, and Browsing, in Proc. EX2031 IEEE Int'l Conf. on Multimedia & Expo 68, 68-75 (2007).

Exhibit No.	Description
2032	Sean Michael Kerner et al., "3G (third generation of mobile telephony)", Techtarget (April 2, 2021), <i>available at</i> www.techtarget.com/searchnetworking/definition/3 G-third-generation-of-mobile-telephony , <i>last accessed</i> January 23, 2026.
2033	Declaration of Francisco A. Villegas in Support of Motion for Admission <i>Pro Hac Vice</i>

Pursuant to 37 C.F.R. § 42.10(c)(1), Withrow Networks, Inc. (“Patent Owner”) respectfully moves the Patent Trial and Appeal Board (“Board”) to recognize Francisco A. Villegas, Esq. (“Proposed Counsel”) *pro hac vice* for purposes of representing Patent Owner in the above-captioned proceeding.

I. Introduction

Roger S. Thompson, a registered patent practitioner (Registration No. 29,594), serves as lead counsel for Patent Owner in this proceeding. Patent Owner seeks to designate Proposed Counsel, who is not a registered patent practitioner, as back-up counsel to assist lead counsel in this matter. Good cause exists for this request, as Proposed Counsel is an experienced litigating attorney with established legal familiarity with the subject matter at issue in this proceeding.

II. Background

A. The Proceeding

This proceeding concerns U.S. Patent No. 10,771,849 (“the ‘849 Patent”), which relates to Multimedia Systems for Mobile Client Platforms.

B. Proposed Counsel’s Qualifications

Proposed Counsel is an attorney duly licensed and in good standing to practice law in the State of California. Proposed Counsel has been admitted to the California Bar for 25 years.

Proposed Counsel has extensive experience in patent litigation and related proceedings. Specifically:

1. **Litigation Experience:** Proposed Counsel has practiced patent law for 25 years and is currently serving as lead counsel in five patent cases in federal district courts, including the parallel litigation in the Northern District of California involving the '849 Patent.
2. **Technical Expertise:** Proposed Counsel possesses significant technical knowledge in the field of digital media streaming, is familiar with the art which is the subject of this proceeding, has advised Patent Owner with respect thereto and has assisted in the preparation of the papers submitted by Patent Owner herein.
3. **Familiarity with This Matter:** Proposed Counsel has been involved in the related infringement litigation, and has counseled Patent Owner regarding the '849 patent, and investigated and analyzed the technology. He has developed substantial familiarity with the accused technology, the alleged prior art and the technical and legal issues in this proceeding.

C. Role in This Proceeding

Proposed Counsel will serve an essential role in this proceeding by assisting lead counsel with preparation for the oral argument and presenting the Patent Owner's case during the argument. Proposed Counsel's litigation experience and

technical expertise in all matters relating to the '849 Patent and the prior art at issue herein will materially benefit the presentation of Patent Owner's case.

III. Good Cause Exists for *Pro Hac Vice* Admission

Under 37 C.F.R. § 42.10(c)(1), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner. The regulation provides that "where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established legal familiarity with the subject matter at issue in the proceeding."

Good cause exists here because:

A. Lead Counsel Is a Registered Practitioner

Roger S. Thompson is a registered patent practitioner in good standing (Registration No. 29,594) and will serve as lead counsel throughout this proceeding. All requirements regarding counsel composition under 37 C.F.R. § 42.10(a) are satisfied.

B. Proposed Counsel Is an Experienced Litigating Attorney

As detailed above, Proposed Counsel has extensive experience as a patent litigator, having practiced for 25 years and handled many patent cases in federal court, including five pending patent cases for which he is lead counsel. He has

taken depositions, examined witnesses, argued motions, participated in claim construction proceedings, managed discovery, and performed other core litigation functions in complex patent disputes, including appeals to the United States Circuit Court of Appeals for the Federal Circuit.

Proposed Counsel's litigation experience includes, serving as lead trial counsel in several patent cases, including five pending patent cases in the Northern District of California and the Eastern District of Texas, successfully arguing motions and appeals, including patent appeals before the United States Circuit Court of Appeals for the Federal Circuit.

C. Proposed Counsel Has Established Legal Familiarity with the Subject Matter

Proposed Counsel has established legal familiarity with the subject matter at issue in this proceeding through his participation as lead counsel in the parallel district court proceeding and his review of all papers in this proceeding. Proposed Counsel has also advised in the drafting of all papers filed by Patent Owner herein, and in the review of all papers filed by Petitioner herein.

This combination of technical knowledge, legal expertise, and hands-on experience with the relevant technology establishes that Proposed Counsel has the requisite familiarity with the subject matter to effectively assist in this proceeding.

D. Proposed Counsel's Participation Will Benefit the Proceeding

Admitting Proposed Counsel *pro hac vice* will enhance the quality of advocacy before the Board and promote efficient resolution of this matter. Proposed Counsel's litigation skills, technical expertise, and familiarity with the parties and technology will enable Patent Owner to present its case more effectively while ensuring that lead counsel, a registered practitioner, maintains overall responsibility for the case.

IV. Proposed Counsel Agrees to Comply with USPTO Rules

Proposed Counsel hereby agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). A declaration from Proposed Counsel attesting to this agreement is attached hereto as Exhibit 2032.

V. Certificate of Service

Counsel for Patent Owner certifies that a complete copy of this Motion for *Pro Hac Vice* Admission, including Exhibit 2032, was served on today's date upon Petitioner's counsel *via* email as attested in the accompanying Certificate of Service.

VI. Conclusion

For the foregoing reasons, Patent Owner respectfully requests that the Board grant this motion and recognize Francisco A. Villegas *pro hac vice* as back-up

counsel for Patent Owner in this proceeding, subject to the condition that Roger S. Thompson will serve as lead counsel and to such other conditions as the Board may impose.

Dated: June 26, 2026

Respectfully submitted,

/s/ Roger Thompson

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing **Patent Owner's Motion for Admission of Francisco A. Villegas, Esq. *pro hac vice*** and accompanying Declaration of Francisco A. Villegas in support thereof, was served on the date below via email to the following counsel of record for Petitioner:

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Dated: June 26, 2026

/s/ Roger Thompson
*Attorney for Patent Owner Withrow
Networks Inc.*