UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THERABODY, INC.
Petitioner

v.

HYPERICE IP SUBCO, LLC
Patent Owner.

Case No. PGR2024-00053
U.S. Patent No. 11,857,482

PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION PURSUANT TO 37 C.F.R. §42.10(C)

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.10(C), Therabody, Inc. ("Petitioner") respectfully requests that the Board recognize Brett J. Williamson as counsel *pro hac vice* in this proceeding. Petitioner's lead counsel in this proceeding is a registered practitioner and, as illustrated below, Mr. Williamson is an experienced litigator with an established familiarity with this proceeding's subject matter. Thus, there is good cause for the Board to recognize Mr. Williamson *pro hac vice* in this proceeding.

II. 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. *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639, Paper No. 7 (P.T.A.B. Oct. 15, 2013).

III. STATEMENT OF FACTS

This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on October 30, 2024 (Paper No. 6). Petitioner's lead and back-up counsel are registered practitioners.

Where lead counsel is a registered practitioner, the Board may permit a nonregistered practitioner to appear *pro hac vice* "upon a showing that counsel is an experienced litigating attorney and has established familiarity with the subject

matter at issue in the proceeding." 37 C.F.R. §42.10(c); *Unified Patents*, Case IPR2013-00639, Paper 7 (setting forth requirements for *pro hac vice* admission). As set forth in his Declaration submitted herewith (Ex. 1016), Mr. Williamson is an experienced litigator. He is a Partner with O'Melveny & Myers LLP with 36 years of experience representing clients in patent and technology related litigation, including matters involving technology similar to that at issue in this proceeding.

Mr. Williamson is familiar with the subject matter of this proceeding. He has reviewed and analyzed the patent at issue in this post grant review, U.S. Patent No. 11,857,482 ("the '482 Patent") as well as the prior art at issue in this proceeding. Specifically, he has assisted Petitioner in its district court litigation, *Hyper Ice, Inc. v. Therabody, Inc.*, Case No. 8:24-cv-00390-JWH-(DFMx) (C.D. Cal.), which involves the same patent and technology at issue in this PGR.

Based on his work for Petitioner in litigations and proceedings involving similar technologies, involvement with the petition in this proceeding, and the other facts detailed in his declaration, Mr. Williamson has significant familiarity with the subject matter in this proceeding. Petitioner wishes to apply Mr. Williamson's knowledge of the patent and litigation experience by employing him as counsel in this proceeding. Because Mr. Williamson is an experienced practitioner with an established familiarity with the subject matter of this proceeding, Petitioner respectfully submits that there is good cause under 37

C.F.R. § 42.10(c) to recognize Mr. Williamson as counsel *pro hac vice* during this proceeding.

IV. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This motion for *Pro Hac Vice* Admission is supported by the accompanying Declaration of Brett J. Williamson (Ex. 1016), as required by Unified Patents, Case IPR2013-00639, Paper 7.

Respectfully Submitted,

/s/ *Marc J. Pensabene*
Marc J. Pensabene (Reg. No. 37,416)

UPDATED LIST OF EXHIBITS[1]

Ex. No.	Description
Ex-1001	U.S. Patent No. 11,857,482 ("the '482 Patent")
Ex-1002	Declaration of John D. Pratt, Ph.D., In Support of Petition for Post Grant Review of U.S. Patent No. 11,857,482
Ex-1003	Curriculum Vitae of Dr. John Pratt
Ex-1004	Prosecution History of the '482 Patent (Application No. 17/681,367)
Ex-1005	U.S. Patent No. 4,513,737 ("Mabuchi")
Ex-1006	U.S. Patent No. 6,432,072 ("Harris")
Ex-1007	U.S. Patent No. 6,682,496 ("Pivaroff")
Ex-1008	U.S. Publication No. 2003/0195443 ("Miller")
Ex-1009	U.S. Publication No. 2007/0150004 ("Colloca")
Ex-1010	Taiwanese Patent Number 9,720,7752U ("Wang")
Ex-1011	Certified English Translation of Taiwanese Patent Number 9,720,7752U ("Wang")
Ex-1012	U.S. Patent No. 2,550,775 ("Clark")
Ex-1013	Appendix A1 – Claim Mapping Chart
Ex-1014	Appendix A2 – Claim Mapping Chart
Ex-1015	Declaration of Bradley M. Berg In Support of Petitioner's Motion for *Pro Hac Vice* Admission Pursuant to 37 C.F.R. §42.10(C)

[1] Four-digit pin citations that begin with 0 are to the page stamps added by Therabody in the bottom right corner of the exhibits. All other pin citations are to original page, column, paragraph, and/or line numbers.

Ex. No.	Description
Ex-1016	Declaration of Brett J. Williamson In Support of Petitioner's Motion for *Pro Hac Vice* Admission Pursuant to 37 C.F.R. §42.10(C)

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2025, I caused a true and correct copy of the foregoing PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION PURSUANT TO 37 C.F.R. §42.10(C) to be served electronically on counsel for Patent Owner at the following addresses:

Kyle W. Kellar, Reg. No. 71,165
Kyle.Kellar@wbd-us.com
WOMBLE BOND DICKINSON (US) LLP
655 N. Central Ave., Suite 2300
Glendale, CA 91203-1445
Telephone: (626) 795-9900
Facsimile: (626) 577-8800

Siho "Scott" Yoo, Reg. No. 78,634
Siho.Yoo@wbd-us.com
WOMBLE BOND DICKINSON (US) LLP
1279 Oakmead Parkway
Sunnyvale, CA 94085
Telephone: (650) 687-8433
Facsimile: (650) 391-1395

John H. Wright, III, Reg. No. 80,505
John.Wright@wbd-us.com
WOMBLE BOND DICKINSON (US) LLP
555 Fayetteville Street, Suite 1100
Raleigh, NC 27601
Telephone: (919) 755-2100
Facsimile: (919) 755-2150

Dated: July 18, 2025

Respectfully submitted,

/s/ Marc J. Pensabene
Marc J. Pensabene (Reg. No. 37,416)
O'Melveny & Myers LLP
1301 Avenue of the Americas, 17th Floor
New York, NY 10019
Telephone: (212) 326-2000
Fax: (212) 326-2061
Email: mpensabene@omm.com
Attorney for Petitioner