

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WELLS FARGO BANK, N.A.,
Petitioner,

v.

UNITED SERVICES AUTOMOBILE ASSOCIATION,
Patent Owner.

Case IPR2020-00092
U.S. Patent No. 9,569,756

**UNITED SERVICES AUTOMOBILE ASSOCIATION’S UNOPPOSED
MOTION FOR *PRO HAC VICE* ADMISSION OF JASON G. SHEASBY
UNDER 37 C.F.R. § 42.10(C)**

Mail Stop “PATENT BOARD”

Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) and the Board’s “Order Authorizing Motion for *Pro Hac Vice* Admission – 37 C.F.R. § 42.10(c),” in Case IPR2013-00639, Paper 7, entered October 15, 2013, incorporated by Paper 9 in the present case, Patent Owner United Services Automobile Association, by and through its attorneys, respectfully requests that the Board admit Jason G. Sheasby *pro hac vice* in this proceeding.

II. GOVERNING LAW, RULES, AND PRECEDENT

Section 42.10(c) states as follows:

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 and to any other conditions as the Board may impose. For example, 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 familiarity with the subject matter at issue in the proceeding.

III. STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of Jason G. Sheasby submitted herewith (Ex. 2013), United Services Automobile

Association submits that a showing of good cause has been made and respectfully requests the *pro hac vice* admission of Jason G. Sheasby in this proceeding:

11. Patent Owner's Lead Counsel, Michael R. Fleming (Reg. No. 67,933), First Back-up Counsel Babak Redjaian (Reg. No. 42,096) and Back-up Counsel Anthony Q. Rowles (Reg. No. 68,673) are registered practitioners.
12. Mr. Sheasby is a Partner at the law firm of Irell & Manella LLP. Ex. 2013 ¶ 3.
13. Mr. Sheasby is an experienced litigating attorney and has been litigating cases relating to patents for over 18 years. *Id.* ¶ 4.
14. Mr. Sheasby is a member in good standing of the California State Bar. *Id.* ¶ 5.
15. Mr. Sheasby has never been suspended or disbarred from practice before any court or administrative body. *Id.* ¶ 5.
16. No application filed by Mr. Sheasby for admission to practice before any court or administrative body has ever been denied. *Id.* ¶ 6.
17. No sanctions or contempt citations have been imposed against Mr. Sheasby by any court or administrative body. *Id.* ¶ 7.

18. Mr. Sheasby has read and agrees to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R. *Id.* ¶ 8.
19. Mr. Sheasby understands that he will be subject to the USPTO Rules of Professional Conduct 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶ 9.
10. Mr. Sheasby has also appeared and been granted *pro hac vice* admission before the United States Patent and Trademark Office in IPR2012-00033, IPR2013-00242, IPR2014-01567, IPR2015-00370, IPR2015-00371, IPR2015-00372, IPR2015-00374, IPR2015-00375, IPR2015-00377, IPR2015-00378, IPR2018-00111, IPR2018-00215, IPR2018-00425, IPR2018-00472, IPR2018-00487, IPR2019-01081, IPR2019-01082, IPR2019-01083, IPR2019-01331, IPR2019-01332, IPR2019-01333, CBM2019-00002, CBM2019-00003, CBM2019-00004, CBM2019-00005, IPR2020-00882, IPR2020-00975, IPR2020-00976 and IPR2020-01101. He has also applied for *pro hac vice* admission in IPR2018-00465, but the proceeding was denied before the motion was approved. *Id.* ¶ 10.

11. Mr. Sheasby is also concurrently applying for *pro hac vice* admission in IPR2020-00090, IPR2020-00091, IPR2020-00095, IPR2020-00096 and IPR2020-00097. *Id.* ¶ 11.
12. Mr. Sheasby has an established familiarity with the subject matter at issue in this proceeding. Mr. Sheasby is lead trial counsel in the related Civil Action No. 2:18-CV-0245-JRG in the United States District Court for the Eastern District of Texas involving the '198 patent, which is at issue in this proceeding. Mr. Sheasby has acquired substantial understanding of the underlying legal and technological issues at stake in the related proceeding, including issues related to validity of the '198 patent. Patent Owner has expended significant time and resources with Mr. Sheasby and wishes to continue using Mr. Sheasby as counsel in this proceeding as appropriate. *Id.* ¶ 12.

IV. GOOD CAUSE EXISTS FOR PRO HAC VICE ADMISSION OF JASON G. SHEASBY

The facts outlined above in the Statement of Facts, and contained in the Declaration of Jason G. Sheasby (Ex. 2013), establish that there is good cause to admit Mr. Sheasby *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Patent Owner's lead counsel and first back-up counsel are registered practitioners. Mr. Sheasby is an experienced litigating attorney and has an established familiarity with the subject matter at issue.

V. NO OPPOSITION TO THEIR MOTION

Patent Owner has conferred with Petitioner with regard to its Motion, and Petitioner confirmed that it would not oppose the motion.

VI. CONCLUSION

In light of the foregoing, Patent Owner respectfully requests that the Board admit Jason G. Sheasby *pro hac vice* in their proceeding.

Dated: July 17, 2020

Respectfully submitted,

/Michael R. Fleming/

Michael R. Fleming, Reg. No. 67,922

Babak Redjaian, Reg. No. 42,096

Anthony Q. Rowles, Reg. No. 68,673

IPELL & MANELLA LLP

1800 Avenue of the Stars, Suite 900

Los Angeles, CA 90067-4276

Telephone: (310) 277-1010

Fax: (310) 203-7199

Attorney for Patent Owner

United Services Automobile Association

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on July 17, 2020, a copy of the foregoing document **UNITED SERVICES AUTOMOBILE ASSOCIATION'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF JASON G. SHEASBY UNDER 37 C.F.R. § 42.10(C) and EXHIBIT 2013** were served by electronic mail, as agreed to by the parties, upon the following:

WFUSAA_postgrant@slwip.com
IPR-request@slwip.com
Ref. 4423.322USX

/Susan M. Langworthy/
Susan M. Langworthy