

Filed on behalf of Pi-Net International, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**Covered Business Method Review of U.S. Patent No. 8,037,158**

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SAP America, Inc.

Petitioner

v.

Pi-Net International, Inc.

Patent Owner

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**CASE IPR 2013-00013**

**Patent 8,037,158**

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**Motion for *Pro Hac Vice* Admission of Colby B. Springer**

***Mail Stop "PATENT BOARD"***

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

## **Motion for *Pro Hac Vice* Admission of Colby B. Springer**

### **I. INTRODUCTION**

Pi-Net International, Inc., the real party-in-interest and the owner of the entire right, title, and interest in U.S. patent number 8,037,158, respectfully submits the present motion for *pro hac vice* admission of Colby B. Springer as back-up counsel in accordance with 37 C.F.R. § 42.10(c). This motion is authorized by virtue of the March 27, 2013 NOTICE OF FILING DATE ACCORDED (PAPER NO. 4). As is required by current Patent Trial and Appeal Board practice, the present motion is filed in accordance with PAPER NO. 7 in Case No. IPR 2013-00639 (the “Representative Order”).

### **II. TIME FOR FILING**

Pursuant to the Representative Order, this motion is filed no sooner than 21 days after service of the petition. The petition was served March 22, 2013. *See* PAPER NO. 2. The aforementioned 21 day period has expired. The present motion is timely submitted.

### III. CONTENT OF MOTION

#### a. Statement of Facts

Pursuant to the Representative Order, the following statement of facts is presented to show good cause for the Patent Trial and Appeal Board to recognize Mr. Colby B. Springer (“Mr. Springer”) *pro hac vice* in the current proceeding:

- 1) The inventor and CEO of the patent owner—by way of the DECLARATION OF DR. LAKSHMI ARUNACHALAM IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION (PI-NET 2022)—hereby requests that the United States Patent and Trademark Office permit Mr. Springer to appear *pro hac vice* in this matter (PI-NET 2022 at ¶¶ 1, 2, 4-6, and 15); *see also* DECLARATION OF COLBY B. SPRINGER IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION (PI-NET 2023 at ¶ 34);
- 2) Mr. Springer is an attorney licensed to practice law by the State of California (PI-NET 2023 at ¶ 1);
- 3) Mr. Springer is admitted to practice before the Supreme Court of the United States of America; the United States Court of Appeals for the Ninth Circuit; the United States Court of Appeals for the Federal Circuit; the United States District Courts for the Northern, Central, Southern, and Eastern District of California; the United States District

Court for the District of Colorado; the United States District Court for the Eastern District of Texas; and the United States International Trade Commission and has previously been admitted *pro hac vice* before the United States District Court for Arizona; the United States District Court for New Mexico; the United States District Court for Nevada; the United States District Court for the Middle District of Florida; the United States District Court for the Western District of Washington; and the United States District Court for Delaware (PI-NET 2023 at ¶ 2-3);

- 4) Mr. Springer is not admitted to practice before the United States Patent and Trademark Office (PI-NET 2023 at ¶ 4);
- 5) Mr. Springer graduated from the Santa Clara University School of Law in 2001 where his studies focused on intellectual property; Mr. Springer has actively practiced in the field of intellectual property—namely patent law and litigation—since that time as a practitioner, educator, and author (PI-NET 2023 at ¶¶ 5-9, 14);
- 6) Mr. Springer is currently an equity partner in the firm of Lewis Roca Rothgerber LLP where he is responsible for the firm’s Silicon Valley Office as well as the firm’s patent litigation practice (PI-NET 2023 at ¶ 10-14);

- 7) Attorneys at the same law firm as Mr. Springer that are both registered patent practitioners are already counsel of record in this matter and will continue to serve as lead and back counsel notwithstanding Mr. Springer's possible admission *pro hac vice* (PI-NET 2022 at ¶¶ 3 and 7 and PI-NET 2023 at ¶ 35);
- 8) The CEO of the patent owner believes that due to the quasi-litigation nature of an *inter partes* review proceeding that the interests of the patent owner would best be represented by both registered patent practitioners and an experienced litigation attorney such as Mr. Springer (PI-NET 2022 at ¶ 8 and PI-NET 2023 at ¶ 26); *see also* 37 C.F.R. §§ 42.51 (discovery), 42.54 (protective orders), 42.20-25 (motions practice), 42.53 (taking testimony), and 42.62 (applicability of the Federal Rules of Evidence);
- 9) The CEO of the patent owner believes Mr. Springer to be an experienced litigation attorney that can represent the aforementioned interests of the patent owner (PI-NET 2022 at ¶ 9);
- 10) Mr. Springer believes that his experience as a student, author, teacher, and practitioner in the field of intellectual property, specifically patent law and patent litigation, is sufficient to deem him an experienced litigation attorney (PI-NET 2023 at ¶ 37);

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