

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GARMIN INTERNATIONAL, INC. ET AL.
Petitioner

v.

Patent of CUOZZO SPEED TECHNOLOGIES LLC
Patent Owner

Case: IPR2012-00001
Patent No.: 6,778,074
Filed: March 18, 2002
Issued: August 17, 2004
Inventors: Giuseppe A. Cuzzo
Title: Speed Limit Indicator and Method for Displaying Speed and the Relevant Speed Limit
Docket No.: CUO0001-RE

PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE* OF DAVID A. SKEELS UNDER 37 C.F.R. §42.10

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner Cuozzo Speed Technologies LLC respectfully submits the following:

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.10, Patent Owner Cuozzo Speed Technologies LLC requests that the Board admit David A. Skeels *pro hac vice* in this proceeding.

II. STATEMENT OF FACTS

37 C.F.R. §42.10(c) states that 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.” The facts, supported by the attached Declaration of David A. Skeels in Support of Motion for Admission *Pro Hac Vice* (“Skeels Declaration”), establish good cause to admit Mr. Skeels *pro hac vice* in this proceeding.

1. Lead counsel, John R. Kasha, is a registered practitioner.
2. Backup counsel, Cabrach J. Connor, is a registered practitioner.
3. Counsel, David A. Skeels, is an experienced litigating attorney in his tenth year of law practice. Skeels Declaration at ¶ 1. Mr. Skeels has been litigating patent cases during the entirety of his law practice, and he has served as trial counsel in more than two dozen patent infringement lawsuits. *Id.* at ¶ 2. Mr. Skeels is a member in good standing of the State Bar of Texas, with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations, and is admitted to practice in the United States District Court for the Northern, Southern, and Eastern Districts of Texas, the United States Court of Appeals for the Fifth Circuit, and the United States Court of Appeals for the Federal Circuit. ¶¶ 3-6.

1. Mr. Skeels has familiarity with the subject matter at issue in this proceeding and, more specifically, he is familiar with the patent at issue in this proceeding. Mr. Skeels represents Patent Owner in other pending cases that involve the same patent at issue in this proceeding: U.S. Patent No. 6,778,074: *Cuozzo Speed Technologies LLC v. Garmin Int'l, Inc. et al.*, Civil Action No. 2:12-cv-03623-CCC-JAD; U.S.D.C. for the District of New Jersey; *Cuozzo Speed Technologies LLC v. General Motors Company*, Civil Action No. 2:12-cv-03624-CCC-JAD; U.S.D.C. for the District of New Jersey; *Cuozzo Speed Technologies LLC v. JVC Americas Corporation*, Civil Action No. 2:12-cv-03625-CCC-JAD; U.S.D.C. for the District of New Jersey; *Cuozzo Speed Technologies LLC v. TomTom, Inc. and Mazda Motors of America, Inc.*, Civil Action No. 2:12-cv-03626-CCC-JAD; U.S.D.C. for the District of New Jersey (collectively, the "Cuozzo Matters"). *Id.* at ¶ 7. During his involvement in the Cuozzo Matters, which began in approximately September or October 2012, Mr. Skeels has been actively involved in every phase of litigation, including, for example, Plaintiff's disclosures under the local patent rules and review of Defendants' invalidity contentions. *Id.* at ¶ 8.

4. Mr. Skeels has read and will comply with the Office Patent Trial Guide and the Board's Rules for Practices for Trials set forth in part 42 of the C.F.R. and he agrees to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§10.20 et seq. and disciplinary jurisdiction under 37 C.F.R. §11.19(a). *Id.* at ¶¶ 9-10. Mr. Skeels has not previously applied to appear *pro hac vice* in any other proceedings before the Office. *Id.* at ¶ 11.

III. ANALYSIS

The facts contained in the Statement of Facts above, and contained in the Skeels Declaration, establish that there is good cause to admit Mr. Skeels *pro hac vice* in this proceeding, under 37 C.F.R. §42.10. Lead and backup counsel are registered practitioners, Mr. Skeels is an experienced litigating attorney, and Mr. Skeels has an established familiarity with the subject matter at issue in this proceeding.

IV. CONCLUSION

For the foregoing reasons, Patent Owner Cuozzo Speed Technologies LLC respectfully requests that the Board admit David A. Skeels *pro hac vice* in this proceeding.

Respectfully submitted,

December 14, 2012
Date

/John R. Kasha/
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