

U.S. Patent No. 6,147,601
Petition for *Inter Partes* Review

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALARM.COM INCORPORATED
Petitioner

v.

VIVINT, INC.
Patent Owner

Inter Partes Review No. 2016-00116
Patent No. 6,147,601

**MOTION FOR ADMISSION *PRO HAC VICE*
OF MARC J. KHADPE**

UNDER 37 C.F.R. § 42.10

Petitioner Alarm.com Incorporated (“Alarm.com” or “Petitioner”) respectfully requests that the Board recognize Mr. Marc J. Khadpe as counsel *pro hac vice* during this proceeding.

Time for Filing

This Motion for Admission *Pro Hac Vice* is being filed after the institution of trial in Case No. IPR2016-00116.

Statement of Facts

The following statement of facts shows that there is good cause for the Board to recognize Mr. Khadpe *pro hac vice*.

Mr. Khadpe is an experienced litigation attorney, having been counsel in various patent infringement litigations in district courts across the country. Mr. Khadpe has experience in jury trials and *Markman* hearings in patent infringement litigations. Mr. Khadpe was previously admitted *pro hac vice* in Case IPR2015-01977. (Paper No. 23, Decision entered August 29, 2016) Mr. Khadpe's biography is being filed concurrently as Exhibit 1116.

U.S. Patent No. 6,147,601 is currently asserted against Petitioner in a co-pending litigation, *Vivint, Inc. v. Alarm.com Inc.*, Case No. 2:15-CV-00392 (D. Utah) (“the co-pending litigation”). Mr. Khadpe is counsel for Alarm.com in

the co-pending litigation and, as such, has established a familiarity with the subject matter at issue in this proceeding. Petitioner wishes to continue using Mr. Khadpe as counsel in this proceeding. Additionally, Mr. Khadpe has previously represented Alarm.com in other patent infringement litigations. Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Khadpe as counsel *pro hac vice* during this proceeding.

Affidavit or Declaration of Individual Seeking to Appear

This Motion for Admission *Pro Hac Vice* is accompanied by an Affidavit of Mr. Marc J. Khadpe, which is filed concurrently as Exhibit 1117.

Counsel for Petitioner conferred with Counsel for Patent Owner prior to filing this motion. Counsel for Patent Owner indicated that Patent Owner would not oppose the motion.

Dated: October 4, 2016

Respectfully submitted,

By: /William H. Mandir
William H. Mandir
Registration No. 32,156
Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the attached MOTION FOR ADMISSION *PRO HAC VICE* OF MARC J. KHADPE was sent via electronic mail on October 4, 2016 to the following:

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Counsel of Record for the Patent Owner in this proceeding

Respectfully submitted,

Dated: October 4, 2016

By: /s/ Brian K. Shelton
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