

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

Patent No. 6,147,601

Filing Date: May 24, 1999

Issue Date: November 14, 2000

Title: ELECTRONIC MESSAGE DELIVERY SYSTEM UTILIZABLE IN THE
MONITORING OF REMOTE EQUIPMENT AND METHOD OF SAME

Inter Partes Review No. Unassigned

**MOTION FOR ADMISSION *PRO HAC VICE*
OF ROGER G. BROOKS**

UNDER 37 C.F.R. § 42.10

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

Time for Filing

This Motion for Admission *Pro Hac Vice* is being filed concurrently with the Petition for *Inter Partes* Review for U.S. Patent No. 6,147,601.

Statement of Facts

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

Mr. Brooks is an experienced litigation attorney, having been lead counsel in multiple patent infringement litigations in district courts across the country. Mr. Brooks has experience in jury and bench trials, as well as *Markman* hearings. He has been admitted to practice before the Federal Circuit. Mr. Brooks’ biography is attached hereto as Exhibit 1308.

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. Brooks is lead 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. Brooks as counsel in this proceeding. Additionally, Mr. Brooks 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. Brooks 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. Roger G. Brooks.

Respectfully submitted,

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

following:

1. I am a member in good standing of the New York State Bar, as well as the following Federal Courts:

- a) U.S. Supreme Court (2010);
- b) U.S. Court of Appeals for the Federal Circuit (2000);
- c) U.S. Court of Appeals for the Second Circuit (2013);
- d) U.S. Court of Appeals for the Sixth Circuit (2002);
- e) U.S. Court of Appeals for the Seventh Circuit (2012);
- f) U.S. District Court for the Southern District of New York (2000); and
- g) U.S. District Court for the Eastern District of New York (2000).

2. I have not been suspended or disbarred from practice before any court or administrative body.

3. I have never had an application for admission to practice before any court or administrative body denied.

the Board's Rules of Practice for Trials set forth in Part 42 of Title 37 of the Code of Federal Regulations.

6. I will be subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. I have applied to appear *pro hac vice* before the Office in petitions for *inter partes* review of the following patents: U.S. Patent No. 6,147,601; U.S. Patent No. 6,717,513; U.S. Patent No. 6,462,654; U.S. Patent No. 6,535,123; U.S. Patent No. 6,924,727; and U.S. Patent No. 7,884,713. Each of these patents is asserted against Alarm.com in co-pending litigation, *Vivint, Inc. v. Alarm.com Inc.*, Case No. 2:15-CV-00392 (D. Utah). Below is a list of the proceedings in which I have applied and been admitted to appear *pro hac vice*:

- Case No. IPR2015-01965
- Case No. IPR2015-01967
- Case No. IPR2015-01977

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