

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH Network L.L.C.
Petitioner

v.

TQ Delta LLC
Patent Owner

Case IPR2016-01470
U.S. Patent No. 8,611,404

**PETITIONER'S CORRECTED MOTION FOR *PRO HAC VICE*
ADMISSION UNDER 37 C.F.R. § 41.10(c)**

Petitioner DISH Network L.L.C., respectfully requests that the Board recognize Stephen Smith, Esq., as counsel *pro hac vice* during this proceeding.

I. BACKGROUND

Petitioner's Motion for *Pro Hac Vice* Admission is being filed in compliance with and pursuant to the "Order—Authorizing Motion for *Pro Hac Vice* Admission" in Case No. IPR2013-00639 (MPT) ["the Order"].

II. STATEMENT OF FACTS

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Smith *pro hac vice*.

Mr. Smith is an experienced litigation attorney and has been involved in numerous complex litigations in courts. Mr. Smith's biography is attached hereto as Exhibit 1056 to this Motion.

Mr. Smith has reviewed U.S. Patent No. 8,611,404, and the petition already filed in this proceeding. Further, Mr. Smith is familiar with the pending litigation between the parties pending before United States District Court, District of Delaware, entitled *TQ Delta LLC v. DISH Network Corporation, et al.*, Case No. 1-15-cv-00614; and, as such, is familiar with the subject matter at issue in this proceeding.

Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Smith as counsel *pro hac vice* during this proceeding.

III. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Petitioner's Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Stephen Smith attached hereto as Exhibit 1057 as required by the Order.

Dated: April 26, 2017

Respectfully submitted,

COOLEY LLP
ATTN: Patent Group
1299 Pennsylvania Ave. NW, Suite 700
Washington, DC 20004
Tel: (650) 843-5001
Fax: (650) 849-7400

By: /Heidi L. Keefe/
Heidi L. Keefe
Reg. No. 40,673
Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. Section 42.6, that a complete copy of the attached **PETITIONER'S CORRECTED MOTION FOR PRO HAC VICE ADMISSION (Stephen Smith)** and related documents, are being served via electronic mail on the 26th day of April, 2017, upon counsel of record for the Patent Owner as follows:

Peter J. McAndrews
pmcandrews@mcandrews-ip.com
Thomas J. Wimbiscus
twimbiscus@mcandrews-ip.com
Scott P. McBride
smcbride@mcandrews-ip.com
Christopher M. Scharff
cscharff@mcandrews-ip.com

DATED: April 26, 2017

/ Heidi L. Keefe /
Heidi L. Keefe
Reg. No. 40,673

COOLEY LLP
Attn: Patent Docketing
1299 Pennsylvania Ave. NW, Suite 700
Washington, D.C. 20004
Tel: (650) 843-5001
Fax: (650) 849-7400