

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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GUANGDONG ALISON HI-TECH CO., LTD.,  
Petitioner

v.

ASPEN AEROGELS, INC.,  
Patent Owner

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**Case No.: IPR2017-00152**

**Patent No. 7,780,890**

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**PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION OF GARY  
M. HNATH PURSUANT TO 37 C.F.R. § 42.10(c)**

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

Case IPR2017-00152

Patent No. 7,780,890

Petitioner's Motion for *Pro Hac Vice* Admission

**PETITIONER'S EXHIBIT LIST**

<b>Description</b>	<b>Exhibit #</b>
<b>Previously Filed</b>	
Aspen Aerogel Inc.'s U.S. Pat. No. 7,780,890	1001
Prosecution history of the '890 patent	1002
Prosecution history of Aspen's U.S. Patent No. 6,989,123	1003
Prosecution history of Aspen's U.S. Patent No. 7,399,439	1004
Nakanishi (U.S. Pat. No. 4,950,148)	1005
Ramamurthi (U.S. Pat. No. 5,306,555)	1006
Champagne (U.S. Pat. No. 6,187,250)	1007
Andersen (U.S. Pat. No. 5,665,442)	1008
Chew (U.S. Pat. No. 6,106,722)	1009
Leeke (U.S. Pat. No. 4,496,461)	1010
Roberts (U.S. Pat. No. 3,042,573)	1011
Complainant Aspen Aerogels, Inc.'s Second Supplemental Response to Guangdong Alison Hi-Tech Co., Ltd.'s First Set of Interrogatories (Nos. 31, 43, 44, 45, 46) (Public Version) and Aspen's Second Supplemental Responses to Nano Tech, Co., Ltd.'s First Set of Interrogatories (Nos. 25, 35, 43, 44, 45, 46, 48, 49) (Public Version) from ITC Investigation No. 337-TA-1003	1012
Product Information – Gels – Dow Corning® CY 52-276, 2-part, clear, 1:1 mix ratio, gel with controlled volatility	1013
Silicone Chemistry Overview Dow Corning®	1014
Handbook of Sealant Technology (Edited by Mittal, K.L. and Pizzi, A (2009))	1015

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Bibliographic data from Public Pair on the USPTO website for application Ser. No. 06/814,726	1016
History of Dow Corning from Dow website	1017
Declaration of George W. Scherer, Ph.D.	1018
<i>Curriculum vitae</i> of George W. Scherer, Ph.D.	1019
Sonoda (Japanese Patent No. H8-34678)	1020
English Translation of Sonoda (w/ certification)	1021
Uchida (U.S. Pat. No. 6,123,882)	1022
Aspen's Initial Claim Construction Brief in 337-TA-1003 (filed Sept. 20, 2016)	1023
Ryu (U.S. Pat. No. 6,068,882)	1024
Coronado (U.S. Pat. No. 5,973,015)	1025
D. Hotza and P. Greil, "Review: Aqueous Tape Casting of Ceramic Powders," <i>Materials Science and Engineering</i> , A202 (1995), pp. 206-17	1026
J.S. Reed, <i>Principles of Ceramics Processing</i> , Second Edition, pp. 525-41 (1995)	1027
Britannica Encyclopedia – "Advanced Ceramics" (2001)	1028
Declaration of Bryan Nese	1029
<b>Currently Filed</b>	
Declaration of Gary M. Hnath in Support of Motion for <i>Pro Hac Vice</i> Admission	1030

Pursuant to 37 C.F.R. § 42.10(c) and in response to the authorization provided by the United States Patent and Trademark Office's Patent Trial and Appeal Board ("Board") in the Notice of Filing Date Accorded to Petition (Paper Number 3, entered November 21, 2016) ("Notice"), Petitioner Guangdong Alison Hi-Tech Co., Ltd. ("Petitioner") hereby files this motion for Gary M. Hnath to appear *pro hac vice* on its behalf, as back-up counsel, before the Board in IPR2017-00152. This motion follows the guidelines set forth in IPR2013-00639, Paper 7, entered October 15, 2013 ("Order").

## **I. TIME FOR FILING**

Pursuant to the Order, this motion for *pro hac vice* admission is being filed no sooner than twenty-one (21) days after service of the petition.

## **II. STATEMENT OF FACTS**

Pursuant to the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Hnath *pro hac vice*.

Lead counsel for this proceeding, Joseph A. Mahoney, is a registered practitioner (Registration No. 38,956).

Mr. Hnath is an experienced litigation attorney, and has been involved in numerous patent infringement cases in the U.S. International Trade Commission and in federal District Courts across the country. Ex. 1030, ¶ 8. He has experience in various aspects of patent infringement matters including trials, Markman

hearings, and summary judgment hearings. *Id.* Mr. Hnath is a member in good standing of the District of Columbia Bar, the Bar of Virginia, and the Court of Appeals of Maryland. *Id.* at ¶ 1. He is admitted to practice before the United States Supreme Court, the United States Court of Appeals for the Federal and District of Columbia Circuits, the United States Court of Federal Claims, and the United States District Courts for the District of Columbia, the District of Maryland, and the Eastern District of Virginia. *Id.* Mr. Hnath has not been suspended or disbarred from practice, never had any application for admission to practice denied, nor had any sanctions or contempt citations imposed against him. *Id.* at ¶¶ 2-4.

Mr. Hnath has reviewed and is familiar with the '890 patent and related patents, the asserted prior art references, and invalidity arguments. *Id.* at ¶ 9. Further, Mr. Hnath has been involved and is familiar with the factual and legal arguments at issue in the litigation brought by Patent Owner against Petitioner in the U.S. International Trade Commission. *Id.* Accordingly, Mr. Hnath is familiar with the subject matter at issue in these proceedings for the '890 patent.

Mr. Hnath has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R., and he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.* and disciplinary jurisdiction under 37 C.F.R. §

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