

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAYPAL, INC.,
Petitioner,

v.

MONEYCAT LTD.,
Patent Owner

IPR2017-00541
U.S. Patent No. 8,712,918

Title: ELECTRONIC CURRENCY, ELECTRONIC WALLET THEREFOR
AND ELECTRONIC PAYMENT SYSTEMS EMPLOYING THEM

**PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF JARED
BOBROW PURSUANT TO 37 C.F.R. § 42.10**

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I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10, Petitioner PayPal, Inc. (“Petitioner”) respectfully request that the Board admit Jared Bobrow *pro hac vice* in this proceeding.

II. STATEMENT OF FACTS

Pursuant to 37 C.F.R. § 42.10(c), 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 accompanying Declaration of Jared Bobrow in Support of Petitioner’s Motion for Admission *Pro Hac Vice* (“Bobrow Declaration,” Ex. 1025), establish good cause to admit Mr. Bobrow *pro hac vice* in this proceeding.

1. Lead counsel Adrian Percer is a registered practitioner.
2. Backup counsel Naveen Modi and Brian Chang are registered practitioners.
3. Jared Bobrow is an experienced litigation attorney. Mr. Bobrow has been a litigating attorney for more than 28 years. Bobrow Decl. ¶ 1. Mr. Bobrow

has been litigating patent cases for approximately 25 of those years. *Id.* Mr. Bobrow is a member in good standing of the California State Bar, 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 Court of Appeals for the Federal Circuit, United States Court of Appeals for the Ninth Circuit, United States Court of Appeals for the First Circuit; California State Supreme Court; the United States District Court for the Eastern District of Texas; and the United States District Courts for the Central, Eastern, Northern and Southern Districts of California. *Id.* ¶¶ 1-4.

4. Mr. Bobrow has familiarity with the subject matter at issue in this proceeding based on his work as counsel in the pending district court case *MoneyCat, Ltd. v. PayPal, Inc.*, Case No. 14-cv-02490-JST (N.D. Cal.)¹, in which U.S. Patent Nos. 7,590,602, 8,051,011, and 8,195,578 are asserted by the Patent Owner. *Id.* ¶ 9. U.S. Patent 8,712,918 (the “918 patent”) is a continuation of U.S. Patent No. 8,195,578 (the “578 patent”), claims 1-3, 5-11, and 13-23 of which the Board found unpatentable in CBM2014-00093, a proceeding in which Mr. Bobrow was admitted *pro hac vice* as backup counsel for the petitioner eBay Inc. Additionally, Mr. Bobrow is familiar with the subject

¹ Originally filed as Case No. 1:13-cv-01358-RGA (D. Del.) prior to transfer.

matter at issue in this proceeding based on his work as backup counsel for eBay in CBM2014-00091 and CBM2014-00092, concerning U.S. Patent Nos. 8,051,011 and 7,590,602, which are also related to the 918 patent, and as eBay's counsel in MoneyCat's appeal of the Board's final written decision in those CBM proceedings to the Federal Circuit Court of Appeals. *Id.* Mr. Bobrow has been actively involved in all aspects of the pending district court case, including the issue of validity. *Id.*

5. Mr. Bobrow has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice 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 to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶¶ 5-6.

III. ANALYSIS

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

IV. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the Board admit Jared Bobrow *pro hac vice* in this proceeding.

Dated: February 7, 2017

Respectfully submitted,



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