

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALBAAD MASSUOT YITZHAK, LTD. AND ALBAAD USA, INC.,
Petitioners

v.

UNI-CHARM CORP., Patent Owner, AND EDGEWELL PERSONAL CARE
BRANDS, LLC, Exclusive Licensee

Case IPR2017-00694
Patent 6,432,075 B1

**EXCLUSIVE LICENSEE'S MOTION FOR *PRO HAC VICE*
ADMISSION OF JASON C. KRAVITZ
UNDER 37 C.F.R. § 42.10(c)**

I. Relief Requested

Pursuant to 37 C.F.R. § 42.10, Exclusive Licensee Edgewell Personal Care Brands, LLC requests that the Board admit Jason C. Kravitz *pro hac vice* in this proceeding, IPR2017-00694.

II. Authorization for This Motion

This motion was authorized pursuant to the Board's Notice of Filing Date Accorded to Petition (Paper No. 3, February 2, 2017).

III. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding

In accordance with 37 C.F.R. § 42.10 and the Board's February 2, 2017 Notice of Filing Date (citing "Order -- Authorizing Motion for *Pro Hac Vice* Admission" in Case IPR2013-00639, Paper 7), 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. Section § 42.10(c) indicates that, "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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding." The facts here establish good cause for the Board to recognize Jason C. Kravitz *pro hac vice* during the proceeding.

1. Lead counsel, Daniel J. Burnham, is a registered practitioner, Reg. No. 39,618.

2. Counsel, Jason C. Kravitz, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion is the Declaration of Jason C. Kravitz (“Kravitz Dec.”). In his declaration, Mr. Kravitz attests, *inter alia*, that:

“I am a member in good standing of the Bar of the Commonwealth of Massachusetts, Bar of the State of Rhode Island, Bar of the District of Columbia and am admitted to practice before the following Federal Courts:

- (a) U.S. District Court for the District of Rhode Island (1993);
- (b) U.S. District Court for the District of Columbia (1996);
- (c) U.S. District Court for the District of Massachusetts (2/23/1996);
- (d) U.S. Court of Appeals for the First Circuit (1/27/2000);
- (e) U.S. Court of Appeals for the Federal Circuit (2/17/2004);
- (f) U.S. Court of Appeals for the Fourth Circuit (12/8/2004); and
- (g) U.S. Court of Appeals for the Eighth Circuit (4/2009).” Kravitz Dec.

¶ 2.

Mr. Kravitz also attests that: “I am familiar with the subject matter at issue in this proceeding. I have reviewed the Petition and accompanying exhibits filed in this matter, Board decisions and notices, and all other papers associated with this

proceeding. I have represented Exclusive Licensee Edgewell Personal Care Brands, LLC and its affiliated entities in a number of intellectual property disputes related to household consumer products over the past twelve years.” Kravitz Dec. ¶¶ 13.

2. In his declaration, Mr. Kravitz also attests to each of the listed items required by 37 C.F.R. § 42.10(c) and the “Order -- Authorizing Motion for *Pro Hac Vice* Admission” in Case IPR2013-00639. See Kravitz Dec. ¶¶ 1-14.

III. Conclusion

For the foregoing reasons, Exclusive Licensee respectfully requests that the Board admit Jason C. Kravitz *pro hac vice* in this proceeding.

Date: February 10, 2017

Respectfully submitted,

/Daniel J. Burnham – Reg. No. 39,618/
Daniel J. Burnham – Reg. No. 39,618
Nixon Peabody LLP
300 S. Riverside Plaza, 16th Floor
Chicago, Illinois 60606
Tel: 312-425-3900
Counsel for Exclusive Licensee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that above-captioned Exclusive Licensee's Motion for *Pro Hac Vice* Admission Under 37 C.F.R. § 42.10(c) was served in its entirety on February 10, 2017, by e-mail:

dloewenstein@pearlcohen.com

gyonay@pearlcohen.com

Counsel for Petitioners, Albaad Massuot Yitzhak, LTD. and Albaad USA, Inc.

By: /Daniel J. Burnham/

Counsel for Exclusive Licensee