

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LKQ CORPORATION and  
KEYSTONE AUTOMOTIVE INDUSTRIES, INC.,  
Petitioner,

v.

GM GLOBAL TECHNOLOGY OPERATIONS LLC,  
Patent Owner.

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Case PGR2020-00004  
Patent No. D840,306

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**PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE***

**ADMISSION OF JOSEPH A. HERRIGES**

**UNDER 37 C.F.R. § 42.10(c)**

**PATENT OWNER'S EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Description</b>
2001	Irwin Letter Re LKQ Petition No. 68 for Relief from Seizure and Forfeitures Notices, September 28, 2017
2002	U.S. Design Patent No. D700,871 to O'Donnell et al. ("O'Donnell")
2003	Declaration of Joseph A. Herriges

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner, GM Global Technology Operations LLC, (“Patent Owner”) respectfully requests that the Board recognize Joseph A. Herriges as counsel *pro hac vice* in this proceeding. Patent Owner conferred with Petitioner, and Petitioner confirmed on February 18, 2020 that it does not oppose this motion. Patent Owner seeks the counsel of Mr. Herriges due to his experience in representing GM in other patent-related matters and particularly due to his familiarity with the substantive and technical issues involved in this proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on November 13, 2019.

Where the lead counsel is a registered practitioner, a non-registered practitioner may be permitted to appear *pro hac vice* “upon a showing that counsel is an experienced litigating attorney and has established familiarity with the subject matter at issue in the proceeding.” 37 C.F.R. § 42.10(c); *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (setting forth requirements for *pro hac vice* admission). As set forth in his declaration submitted herewith (Exhibit 2003), Mr. Herriges is a Principal at Fish & Richardson P.C. and a patent litigation attorney with significant experience advising clients regarding patent matters, including as counsel in litigation involving a wide range of automotive technology. Based on this underlying

litigation and the other facts detailed below and in his declaration, Mr. Herriges has significant familiarity with the particular subject matter in this proceeding.

Additionally, Mr. Herriges was previously granted *pro hac vice* admission before the PTAB in other IPR proceedings, as explained in his declaration, including several recent proceedings: IPR Case Nos. IPR2014-01427, IPR2014-01428, IPR2015-01781, IPR2015-01783, IPR2015-01788, IPR2015-01789, IPR2017-00433, IPR2019-00024, and IPR2019-00025. He is concurrently applying to appear *pro hac vice* in IPR2020-00062, IPR2020-00063, IPR2020-00064, IPR2020-00065, PGR2020-00002, PGR2020-00003, PGR2020-00004, and PGR2020-00005.

### **1. Statement of Facts**

Mr. Herriges is a patent litigation attorney with significant experience representing clients in District Courts across the country, as well as before the United States International Trade Commission. Mr. Herriges has experience in all stages of litigation, from preliminary injunction through trial and appeal, and across a wide range of technologies, including molecular biology, polymer chemistry, retroreflective optics and mechanical engineering issues related to off-road vehicles. GM Global Technology Operations LLC provides Exhibit A (attached to the Declaration of Joseph A. Herriges), as evidence, Joseph A. Herriges's biography.

Mr. Herriges also has particular experience and familiarity with the substantive and technical issues involved in this proceeding, which he has gained in connection with reviewing the papers filed in this proceeding, the prior art, and the patent-at-issue, as well as through representing GM in other matters.

## 2. Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Joseph A. Herriges. As Mr. Herriges states in his accompanying Declaration, he has read, will comply with, and agrees to be subject to the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations. As also set forth in his Declaration, Mr. Herriges is a member in good standing of the Bar of the State of Minnesota and is admitted to practice in numerous federal courts.

Accordingly, GM Global Technology Operations LLC submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Joseph A. Herriges as counsel *pro hac vice* during this proceeding.

Date: February 24, 2020/

/Dorothy P. Whelan/  
Dorothy P. Whelan, Reg. No. 33,814

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