

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., EVENTBRITE, INC., and STARWOOD HOTELS &
RESORTS WORLDWIDE, INC.,
Petitioners,

v.

AMERANTH, INC.,
Patent Owner.

CBM2015-00080 (Patent 6,384,850 B1)
CBM2015-00081 (Patent 8,146,077 B2)
CBM2015-00082 (Patent 6,871,325 B1)

Before MEREDITH C. PETRAVICK, RICHARD E. RICE, and
STACEY G. WHITE, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

ORDER

Pro Hac Vice Admission of Mr. Robert Williams
37 C.F.R. § 42.10

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INTRODUCTION

On June 5, 2015, Petitioner filed a Motion for *Pro Hac Vice* Admission of Mr. Robert Williams and an accompanying affidavit in support thereof. Paper 10¹. Patent Owner did not file an opposition.

DISCUSSION

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. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in this proceeding. IPR2013-00639, Paper 7, “Order – Authorizing Motion for *Pro Hac Vice* Admission.”

Lead Counsel for Petitioner is Mr. James M. Heintz, a registered practitioner. In the Motion, Petitioner states that there is good cause for the Board to recognize Mr. Williams *pro hac vice* during this proceeding because he represents Petitioner in related matters against the Patent Owner. Paper 10, 2–3. The motion further asserts that Mr. Williams has obtained detailed knowledge regarding the subject matter of the patents at issue in these proceedings. *Id.*

An Affidavit of Mr. Williams attesting to, and sufficiently explaining, the required facts, accompanies the motion. The Affidavit complies with the

¹ For expediency, CBM2015-00080 is representative and all subsequent citations are to CBM2015-00080 unless otherwise noted.

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requirements for *pro hac vice* admission and establishes that Mr. Williams is an experienced attorney with an established familiarity with the subject matter at issue in this proceeding. *Id.* at 4–5. The Affidavit further acknowledges that Mr. Williams is 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. § 11.19(a). *Id.* at 4.

Upon consideration, Petitioner has demonstrated sufficiently that Mr. Williams has sufficient legal and technical qualifications to represent Petitioner in this proceeding. Accordingly, Petitioner has established that there is good cause for admitting Mr. Williams. Mr. Williams may only be designated as backup counsel.

ORDER

It is:

ORDERED that Petitioner’s Motion for *Pro Hac Vice* Admission of Mr. Robert Williams is *granted*, and Mr. Williams is authorized to represent Petitioner only as back-up counsel in this proceeding;

FURTHER ORDERED that Petitioner should continue to have a registered practitioner as lead counsel in this proceeding;

FURTHER ORDERED that Mr. Williams is to comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. Williams is subject to the USPTO’s disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO’s Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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PETITIONER:

James M. Heintz
Robert C. Williams
Ryan W. Cobb
jim.heintz@dlapiper.com
robert.williams@dlapiper.com
ryan.cobb@dlapiper.com

PATENT OWNER:

John W. Osborne
Michael D. Fabiano
josborne@osborneipl.com
mdfabiano@fabianolawfirm.com