

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SCHRADER-BRIDGEPORT INTERNATIONAL, INC. et al.  
Petitioner

v.

CONTINENTAL AUTOMOTIVE SYSTEMS US, INC.  
Patent Owner

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Case IPR2013-00014  
Patent 6,998,973

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Before SALLY C. MEDLEY, JOSIAH C. COCKS, and MITCHELL G.  
WEATHERLY, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding  
*37 C.F.R. § 42.5*

On September 24, 2013, the following individuals participated in a  
conference call:

(1) Mr. Collins and Mr. Fuhrer, counsel for Schrader;

- (2) Mr. Baumann and Mr. Parmelee, counsel for Continental<sup>1</sup>; and
- (3) Administrative Patent Judges Medley, Cocks, and Weatherly.

The purpose of the call was to discuss the remaining times for taking action and to discuss Continental's motion for *pro hac vice* admission of Mr. Boyd Cloern and Mr. Benjamin Warlick. Paper 22.

#### *Schedule*

As discussed during the call, there is no occasion for the parties to file any papers in this proceeding in accordance with DUE DATES 3-6, other than Continental's request for oral argument. As such, the DUE DATES 3-6 for taking action are *vacated*. As further discussed, Continental shall, within one week of the date of this order, file its request for oral argument in accordance with 37 C.F.R. § 42.70(a).

The December 11, 2013 hearing date was discussed. The Board proposed having the hearing sooner than December 11, 2013. Continental objected to changing the December 11, 2013 hearing date. Based on the facts presented by counsel for Continental, the Board determined to proceed with the December 11, 2013 hearing date. An order setting forth the procedure for hearing will be made in due course.

#### *Pro Hac Vice Admission*

Continental filed a motion for *pro hac vice* admission of Boyd Cloern and Benjamin Warlick. Paper 22. During the conference call, counsel for Continental

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<sup>1</sup> Mr. Cloern, counsel for Continental in the related litigation, was also present. Mr. Anagnos, in-house counsel for Continental, was also present. Counsel for Schrader did not object to their presence and limited participation during the conference call.

represented that Mr. Warlick is registered to practice before the Office. Because Mr. Warlick is registered to practice before the Office, a motion for the *pro hac vice* admission of Mr. Warlick was not proper. 37 C.F.R. § 42.10 (c).

Accordingly, the motion is *dismissed* in that regard. As explained, Continental is authorized to add Mr. Warlick as backup counsel if it desires. Continental should update the counsel information in the Patent Review Processing System (PRPS) by adding Mr. Warlick to the system. In addition, Continental should file a paper under 37 CFR § 42.8(a)(3) notifying the Board of the addition of Mr. Warlick as back-up counsel. Should a question arise regarding adding Mr. Warlick to the PRPS system, Continental may contact the Board at 571-272-7822 for assistance.

A discussion was had regarding Continental's motion for *pro hac vice* admission of Mr. Cloern, such as why Continental needed to have yet a fourth attorney represent it. Based on the discussion had, Continental withdrew the motion for *pro hac vice* admission with respect to Mr. Cloern.

### *Order*

It is

ORDERED that DUE DATES 3-6 for taking action are *vacated*;

FURTHER ORDERED that Continental shall, within a week of the date of this order, file its request for oral argument in accordance with 37 C.F.R. § 42.70(a);

FURTHER ORDERED that Continental's motion for *pro hac vice* admission with respect to Mr. Warlick is *dismissed*; and

FURTHER ORDERED that Continental's motion for *pro hac vice* admission with respect to Mr. Cloern is *withdrawn*.

IPR2013-00014  
Patent 6,998,973

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