

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INNOLUX CORPORATION¹
Petitioner

v.

SEMICONDUCTOR ENERGY LABORATORY CO., LTD.
Patent Owner

Case IPR2013-00064 (SCM)
Patent 7,923,311 B2

Before SALLY C. MEDLEY, KARL D. EASTHOM, and KEVIN F. TURNER,
Administrative Patent Judges.

MEDLEY, *Administrative Patent Judge.*

DECISION
Motion for *Pro Hac Vice* Admission
37 C.F.R. § 42.10

Innolux Corporation (“Innolux”) filed a motion for *pro hac vice* admission

¹ In light of Petitioner’s name change (Paper 10), the parties shall use the above header on all subsequent papers filed in this proceeding.

of Stanley M. Gibson. Paper 16. The motion is unopposed. The motion is *granted*.

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. In authorizing motions for *pro hac vice*, 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. “Notice”; Paper 3.

In its motion, Innolux states that there is good cause for the Board to recognize Mr. Gibson *pro hac vice* during this proceeding, because Mr. Gibson is an experienced litigating attorney with an established familiarity with the subject matter at issue in the proceeding. In addition, the motion states that Mr. Gibson is counsel for Innolux in related litigation between Innolux and the patent owner. Mr. Gibson made a declaration attesting to, and explaining, these facts. Paper 14.² The declaration complies with the requirements set forth in the Notice.

Upon consideration, Innolux has demonstrated that Mr. Gibson has sufficient legal and technical qualifications to represent Innolux in this proceeding. Moreover, the Board recognizes that there is a need for Innolux to have its related litigation counsel involved in this proceeding. Accordingly, Innolux has also established that there is good cause for admitting Mr. Gibson.

Attention is directed to the Office’s Final Rule adopting new Rules of

² Although Innolux filed the declaration as a separate paper, the paper should have been uploaded as an exhibit with an appropriate exhibit number. 37 C.F.R.

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Professional Conduct. *See Changes to Representation of Others Before the United States Patent and Trademark Office; Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013).* The Final Rule also removes Part 10 of Title 37, Code of Federal Regulations. The changes set forth in that Final Rule including the USPTO's Rules of Professional Conduct took effect on May 3, 2013. Therefore, Mr. Gibson is subject to the USPTO's Rules of Professional Conduct that took effect May 3, 2013.

It is

ORDERED that the Innolux motion for *pro hac vice* admission of Stanley M. Gibson for this proceeding is *granted*;

FURTHER ORDERED that Innolux is to continue to have a registered practitioner represent it as lead counsel for this proceeding; and

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

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

§ 42.63.

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