

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION
Petitioner,

v.

YISSUM RESEARCH DEVELOPMENT COMPANY
OF THE HEBREW UNIVERSITY OF JERUSALEM
Patent Owner.

Case IPR2013-00219 (SCM)
Patent 7,477,284 B2

Before SALLY C. MEDLEY, KARL D. EASTHOM, and JAMES B. ARPIN,
Administrative Patent Judges.

MEDLEY, *Administrative Patent Judge.*

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

Yissum Research Development Company of the Hebrew University of Jerusalem (“Yissum”) filed a motion for *pro hac vice* admission of William Nelson and Robert Gerrity. Paper 12. 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 6.

In its motion, Yissum states that there is good cause for the Board to recognize Mr. Nelson and Mr. Gerrity *pro hac vice* during this proceeding, because they are experienced litigating attorneys with an established familiarity with the subject matter at issue in the proceeding. Paper 12, 2-3. In addition, the motion states that Mr. Nelson and Mr. Gerrity are counsel for HumanEyes Technologies Ltd. (the exclusive licensee of the involved patent) and that they are counsel in related litigation between Sony and HumanEyes Technologies Ltd. *Id.* at 4. Mr. Nelson and Mr. Gerrity each made a declaration attesting to, and explaining, these facts. Exhibits 2001 and 2002. Each declaration complies with the requirements set forth in the Notice.

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

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Attention is directed to the Office's Final Rule adopting new Rules of 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. Nelson and Mr. Gerrity are subject to the USPTO's Rules of Professional Conduct that took effect May 3, 2013.

It is

ORDERED that the Yissum motion for *pro hac vice* admission of William Nelson and Robert Gerrity for this proceeding is *granted*;

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

FURTHER ORDERED that Mr. Nelson and Mr. Gerrity are 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. Nelson and Mr. Gerrity are 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.*

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