

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIPNET EU S.R.O.
Petitioner

v.

STRAIGHT PATH IP GROUP, INC.
Patent Owner

Case IPR2013-00246
Patent 6,108,704

THOMAS L. GIANNETTI, *Administrative Patent Judge.*

ORDER
Decision on Motion
37 C.F.R. § 42.10

Patent Owner has filed a motion for *pro hac vice* admission of Alan M. Fisch. Paper 19. Petitioner did not oppose. 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.

In its motion, Patent Owner states that there is good cause for the Board to recognize Mr. Fisch *pro hac vice* because Mr. Fisch is an experienced litigating attorney and a member in good standing of the New York and District of Columbia bars. In addition, the motion states that Mr. Fisch has an established familiarity with the subject matter at issue in this proceeding. Mr. Fisch has made a declaration attesting to, and explaining, these facts. The declaration complies with the requirements set forth in the Notice.

Upon consideration, Patent Owner has demonstrated that Mr. Fisch has sufficient legal and technical qualifications to represent Patent Owner in this proceeding. Moreover, the Board recognizes that there is a need for Patent Owner to have Mr. Fisch be involved in this proceeding. Accordingly, Patent Owner has established that there is good cause for admitting Mr. Fisch.

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

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Rules of Professional Conduct took effect on May 3, 2013. Therefore, Mr. Fisch is subject to the USPTO's Rules of Professional Conduct that took effect May 3, 2013.

It is therefore

ORDERED that Patent Owner's motion for admission of Alan M. Fisch *pro hac vice* is granted;

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

FURTHER ORDERED that Mr. Fisch 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. Fisch 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.*

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