

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.*

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DECISION
MOTION TO AUTHORIZE WITHDRAWAL
37 C.F.R. § 42.10(e)

Patent Owner has filed a motion to authorize withdrawal of its current counsel, Alicia Carney, Alan Fisch, and Patrick Lee. Paper 64. Patent Owner

states that the motion is unopposed. For the following reasons the motion is *granted*.

DISCUSSION

Counsel may withdraw from an *inter partes* review proceeding only with authorization from the Board. 37 C.F.R. § 42.10(e). Normally, this is accomplished by filing a motion to withdraw, which requires Board authorization before filing. *See* 37 C.F.R. § 42.20(b). Once authorization is granted, the motion is then made by the attorneys seeking to withdraw. *See, e.g.*, Case IPR2013-00010, Paper 30.

Here, the motion to withdraw was filed by the Patent Owner, and signed by Mr. Lee. Patent Owner has filed a new Power of Attorney. Exhibit 2049. The motion was authorized in advance by the Board.

Patent Owner has not followed the correct procedure in that the motion should have been filed by withdrawing counsel. However, because there is no prejudice shown, the Board will treat the motion as if it were filed by withdrawing counsel.

Turning to the merits, the motion designates substitute counsel and back-up counsel who are stated to be registered practitioners and does not seek any time extensions. In fact, Patent Owner has advised the Board that the substitution of counsel will not delay the proceeding.

It is therefore

ORDERED that Patent Owner's Motion to Authorize Withdrawal of Counsel (Paper 64) is granted;

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FURTHER ORDERED that Alicia Carney, Alan Fisch, and Patrick Lee are permitted to withdraw as counsel for Patent Owner in this proceeding;

FURTHER ORDERED that Patent Owner shall file updated mandatory disclosures within five days of entry of this order designating William A. Meunier and Matthew D. Durell as lead and back-up counsel, respectively;

FURTHER ORDERED that withdrawal by Alicia Carney, Alan Fisch, and Patrick Lee shall become effective upon filing by Patent Owner of the updated mandatory disclosures specified above.

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PETITIONER:

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