

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RICOH AMERICAS CORPORATION and XEROX CORPORATION  
Petitioner

v.

MPHJ TECHNOLOGY INVESTMENTS, LLC  
Patent Owner

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Case IPR2013-00302  
Patent 7,986,426 B1

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Before SALLY C. MEDLEY, MICHAEL P. TIERNEY, and  
KARL D. EASTHOM, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

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

Petitioner filed a motion for *pro hac vice* admission of H. Keeto Sabharwal.  
Paper 17. The motion is unopposed. The motion is *granted*.

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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 4.

In its motion, Petitioner states that there is good cause for the Board to recognize Mr. Sabharwal *pro hac vice* during this proceeding, because Mr. Sabharwal is an experienced litigating attorney. In addition, the motion states that Mr. Sabharwal has been admitted to appear *pro hac vice* in four other proceedings before the Board in the last three years and that he has an established familiarity with the subject matter at issue in this proceeding based on his work with the Petitioner on this case. Paper 17 at 5-7. Mr. Sabharwal made an affidavit attesting to, and explaining, these facts. Exhibit 1012. The declaration complies with the requirements set forth in the Notice.

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

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

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(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. Sabharwal is subject to the USPTO's Rules of Professional Conduct that took effect May 3, 2013.

It is

ORDERED that Petitioner's motion for *pro hac vice* admission of H. Keeto Sabharwal for this proceeding is *granted*;

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

FURTHER ORDERED that Mr. Sabharwal 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. Sabharwal 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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