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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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YAMAHA CORPORATION OF AMERICA  
Petitioner

v.

BLACK HILLS MEDIA, LLC  
Patent Owner

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Case No. IPR2013-00594  
U.S. Patent 8,050,652

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**MOTION FOR WITHDRAWAL OF REPRESENTATION  
OF PATENT OWNER BY STEPHEN J. TYTRAN**

## **I. RELIEF REQUESTED**

As authorized in the Order of December 26, 2013 (Paper 9), Stephen J. Tytran respectfully requests withdrawal from further representation of Patent Owner in this proceeding under 37 C.F.R. §§ 11.116 and 42.10(e).

## **II. GOVERNING RULES**

“Counsel may not withdraw from a proceeding before the Board unless the Board authorizes such withdrawal.” 37 C.F.R. § 42.10(e). Further, 37 C.F.R. § 11.116(b)(1) provides that “[e]xcept as stated in paragraph (c) of this section, a practitioner may withdraw from representing a client if . . . [w]ithdrawal can be accomplished without material adverse effect on the interests of the client. . . .”

Paragraph (c) of this Section provides that “[a] practitioner must comply with applicable law requiring notice to or permission of a tribunal when terminating a representation. When ordered to do so by a tribunal, a practitioner shall continue representation notwithstanding good cause for terminating the representation.”

“Upon termination of representation, a practitioner shall take steps to the extent reasonably practicable to protect a client's interests. . . .” 37 C.F.R. § 11.116(d).

## **III. STATEMENT OF FACTS**

Based on the following statement of facts, Stephen J. Tytran, as designated back-up counsel on behalf of Patent Owner in this proceeding, respectfully

requests authorization from the Board to withdraw from representation of Patent Owner in this proceeding.

1. Hugh Svendsen, CEO of Black Hills Media, assents to the withdrawal of Stephen Tytran, as evidenced in the Power of Attorney submitted concurrently herewith, which indicates that “I hereby revoke all previous powers of attorney given in the above-identified application”;
2. Stephen Tytran, a registered practitioner (Reg. No. 45,846), hereby agrees to take steps to the extent reasonably practicable to protect Patent Owner’s interests;
3. Mr. Thomas is a registered practitioner (Reg. No. 45,159);
4. Mr. Engellenner is a registered practitioner (Reg. No. 28,711); and
5. Mr. Mollaaghababa is a registered practitioner (Reg. No. 43,810).

#### **IV. WITHDRAWAL IS PERMITTED**

The facts outlined above in the Statement of Facts demonstrate that Mr. Tytran is entitled to withdraw from representation in this proceeding, as such withdrawal can be accomplished without material adverse effect on the interests of the Patent Owner. The Patent Owner has assented to the termination of Mr. Tytran’s representation in this proceeding, as evidenced by the Power of Attorney submitted herewith. Further, Mr. Tytran’s withdrawal will not cause prejudice to

the rights of the Patent Owner as Mr. Thomas, a registered practitioner, remains counsel on behalf of Patent Owner. Moreover, both Mr. Engellenner and Mr. Mollaaghababa are registered practitioners and are familiar with the underlying legal and technical issues of the instant proceedings.

## V. CONCLUSION

In light of the foregoing, it is respectfully requested that the Board grant this motion for withdrawal of representation of Patent Owner in this proceeding by Stephen J. Tytran.

Dated: December 31, 2013

Respectfully submitted,  
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Dated: December 31, 2013

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 31, 2013, a true and accurate copy of this paper, MOTION FOR WITHDRAWAL OF REPRESENTATION OF PATENT OWNER BY STEPHEN J. TYTRAN, was served on the following counsel for Petitioner Yamaha of America via email and U.S. Express Mail:

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Dated: December 31, 2013

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