

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PETROLEUM GEO-SERVICES INC.,
and
ION GEOPHYSICAL CORPORATION
AND ION INTERNATIONAL S.A.R.L,
Petitioner,

v.

WESTERNGECO LLC,
Patent Owner.

Cases¹

IPR2014-00687 (Patent 7,162,967)
IPR2014-00688 (Patent 7,080,607)
IPR2014-00689 (Patent 7,293,520)

Before BRYAN F. MOORE, SCOTT A. DANIELS, and
BEVERLY M. BUNTING, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

ORDER

Patent Owner's Motion for *Pro Hac Vice* Admission of Timothy K. Gilman
37 C.F.R. § 42.10

¹ Cases IPR2015-00565, IPR2015-00566, IPR2015-00567 have been joined with these proceedings.

IPR2014-00687 (Patent 7,162,967)

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IPR2014-00689 (Patent 7,293,520)

Patent Owner moves for *pro hac vice* admission of Mr. Timothy K. Gilman. Paper 48 (“Mot.”).² Petitioner provides a declaration from Mr. Gilman (“Gilman Dec’l,” Ex. 2101) with its motion. Petitioners have not filed an opposition to this motion.

For the reasons stated below, Patent Owner’s motion is granted.

The Board may recognize counsel *pro hac vice* during a proceeding “upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose.” 37 C.F.R. § 42.10(c). For example, where the lead counsel is a registered practitioner, a non-registered practitioner, such as Mr. Gilman, may be permitted to appear *pro hac vice* “upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” *Id.* In authorizing motions for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing that there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear. *Id.*

In this proceeding, lead counsel for Patent Owner, Michael L. Kiklis, is a registered practitioner. Mot. 2. Patent Owner’s motion indicates that there is good cause for the Board to recognize Mr. Gilman *pro hac vice* during this proceeding (*id.* at 2–3), and is supported by the declaration of Mr. Gilman. In particular, Mr. Gilman declares that he has extensive experience litigating patent cases. Gilman Dec’l. ¶ 11. Mr. Gilman also

² The parties filed identical papers in the captioned cases. For ease of reference, this order references the papers filed in IPR2014-00687.

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declares that he has established familiarity with the subject matter at issue in the instant proceeding, as he has been representing Patent Owner in related district court litigation that involves the same patent challenged in this proceeding. *Id.* at ¶¶ 12–14; *see also* Mot. ¶¶ 4–5.

Additionally, Mr. Gilman’s declaration complies with the Board’s requirements for *pro hac vice* admission where Mr. Gilman declares he has never been denied admission, suspended, disbarred, sanctioned, or cited for contempt by any court or administrative body, and that he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et. seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). Gilman Dec’l. ¶¶ 4–8.

On this record, we determine that Mr. Gilman has sufficient legal and technical qualifications to represent Patent Owner in the instant proceeding. We further recognize that there is a need for Patent Owner to have its counsel in the related district court litigation involved in this proceeding.

For the foregoing reasons, Patent Owner has established that there is good cause for Mr. Gilman’s *pro hac vice* admission in the instant proceeding.

It is

ORDERED that Patent Owner’s motion for *pro hac vice* admission of Mr. Timothy Gilman is granted; Mr. Gilman is authorized to represent Patent Owner only as back-up counsel in the instant proceeding.

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