

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZHONGSHAN BROAD OCEAN MOTOR CO., LTC.,  
Petitioner,

v.

NIDEC MOTOR CORPORATION,  
Patent Owner.

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Case IPR2014-01121  
Patent 7,626,349 B2

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Before BENJAMIN D. M. WOOD, JAMES A. TARTAL, and  
PATRICK M. BOUCHER, *Administrative Patent Judges*.

BOUCHER, *Administrative Patent Judge*.

DECISION

*Motion to Withdraw and Motion for Pro Hac Vice Admission*  
*37 C.F.R. §§ 42.10*

On October 3, 2014, Petitioner filed a Motion for Counsel to Withdraw from the Proceeding. Paper 9. The motion requests that current designated counsel, Nathan J. Rees and Daniel A. Prati, withdraw from this

proceeding. *Id.* The motion does not seek any extensions of time and represents that Patent Owner does not oppose. *Id.* Counsel may withdraw from an *inter partes* review proceeding only with authorization from the Board. 37 C.F.R. § 42.10(e).

On October 20, 2014, Petitioner filed a Power of Attorney revoking its prior power of attorney of Nathan J. Rees and Daniel A. Prati in connection with this proceeding, and appointing Steven F. Meyer, a registered practitioner, as Lead Counsel and Charles S. Baker as Back-Up Counsel *pro hac vice*. Paper 10.

On October 23, 2014, Petitioner filed supplemental mandatory notices (Paper 11) and a motion for *pro hac vice* admission of Mr. Baker (Paper 12). In the motion, Petitioner states that there is good cause for the Board to recognize Mr. Baker *pro hac vice* during this proceeding because he represents Petitioner in related litigation with Patent Owner. Paper 12, 3. The motion further asserts that Mr. Baker is an experienced litigating attorney and has established familiarity with the subject matter at issue in this proceeding. *Id.* at 2. The motion is supported by a Declaration by Mr. Baker attesting to, and sufficiently explaining, these facts. Ex. 1011. Mr. Baker's Declaration asserts that he agrees "to be subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 CFR §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 CFR § 11.19(a)." *Id.* at ¶ 8.

Upon consideration, Petitioner has demonstrated sufficiently that Mr. Baker 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 its related litigation counsel involved in this

proceeding. Accordingly, Petitioner also has established that there is good cause for admitting Mr. Baker. Petitioner will not be unrepresented after withdrawal of its current counsel.

It is

ORDERED that Petitioner's Motion for Counsel to Withdraw is *granted*;

FURTHER ORDERED that Nathan J. Rees and Daniel A. Prati are permitted to withdraw as counsel in this proceeding;

FURTHER ORDERED that Steven F. Meyer is recognized as Lead Counsel for Patent Owner;

FURTHER ORDERED that Petitioner's Motion for *Pro Hac Vice* Admission of Charles S. Baker is *granted*;

FURTHER ORDERED that Mr. Baker 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 the C.F.R., and to be subject to the Office's Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.*, and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel in this proceeding.

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PETITIONER:

Steven Meyer  
[ptopatentcommunication@lockelord.com](mailto:ptopatentcommunication@lockelord.com)

PATENT OWNER:

Scott Brown  
[jcrawford@hoveywilliams.com](mailto:jcrawford@hoveywilliams.com)

Matthew Walters  
[mwalters@hoveywilliams.com](mailto:mwalters@hoveywilliams.com)