

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RF CONTROLS, LLC,
Petitioner,

v.

A-1 PACKAGING SOLUTIONS, INC.,
Patent Owner.

Cases:¹

IPR2015-00119 (Patent 8,690,057)

IPR2014-01536 (Patent 8,690,057)

Before BRYAN F. MOORE, *Administrative Patent Judge*.

MOORE, *Administrative Patent Judge*.

ORDER

Patent Owner's Motion for Admission *Pro Hac Vice* of
Benjamin T. Horton
37 C.F.R. § 42.10

¹ This Order addresses issues that are the same in both cases. Therefore, we exercise our discretion to issue one Decision to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

IPR2015-00119 (Patent 8,690,057)

IPR2014-01536 (Patent 8,690,057)

On March 2, 2015, Patent Owner filed a Motion for *Pro Hac Vice* Admission of Mr. Horton (Paper 7²) and an accompanying affidavit in support thereof (Ex. 2000). Petitioner did not file an opposition to these motions.

Initially, we note that exhibits such as declarations should be filed in the PRPS system as exhibits not papers. Nonetheless, no change to the papers currently filed in these cases is requested at this time.

Upon consideration of the papers presented, Patent Owner has demonstrated sufficiently that Mr. Horton has sufficient legal and technical qualifications to represent Patent Owner in this proceeding. *See* IPR2013-00639, Paper 7, “Order – Authorizing Motion for *Pro Hac Vice* Admission.” In light of the foregoing, we are persuaded that Patent Owner has demonstrated good cause for Mr. Horton to participate in this proceeding as backup counsel. Mr. Horton may only be designated as backup counsel.

In consideration of the forgoing, it is

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

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for the instant proceeding;

FURTHER ORDERED that Mr. Horton 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

² For expediency, IPR2015-00119 is representative and all subsequent citations are to IPR2015-00119 unless otherwise noted.

IPR2015-00119 (Patent 8,690,057)

IPR2014-01536 (Patent 8,690,057)

FURTHER ORDERED that Mr. Horton is to be 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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