

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE, INC.,
Petitioner,

v.

NETWORK-1 TECHNOLOGIES, INC.,
Patent Owner.

Case IPR2015-00343 (Patent 8,640,179 B1)
Case IPR2015-00345 (Patent 8,205,237 B2)
Case IPR2015-00347 (Patent 8,010,988 B2)
Case IPR2015-00348 (Patent 8,656,441 B1)¹

Before KEVIN F. TURNER, LYNNE E. PETTIGREW, and
JON B. TORNQUIST, *Administrative Patent Judges*.

PETTIGREW, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motions for Withdrawal and
Substitution of Counsel
37 C.F.R. § 42.10

¹ We use this caption in this paper to indicate that this Order applies to, and is entered in, all four cases. The parties are not authorized to use this caption.

IPR2015-00343 (Patent 8,640,179 B1)
IPR2015-00345 (Patent 8,205,237 B2)
IPR2015-00347 (Patent 8,010,988 B2)
IPR2015-00348 (Patent 8,656,441 B1)

Petitioner, Google, Inc., filed a Motion for Withdrawal and Substitution of Counsel in each of these proceedings. IPR2015-00343, Paper 34 (“Mot.”); IPR2015-00345, Paper 35; IPR2015-00347, Paper 35; IPR2015-00348, Paper 35.² In each motion, Petitioner requests authorization to withdraw its current lead counsel, James J. Elacqua, and its current backup counsel, Douglas R. Nemec, and substitute David M. Krinsky and Christopher A. Suarez as lead and backup counsel, respectively. Mot. 2. Petitioner asserts that good cause exists for the withdrawal and substitution because, among other reasons, Mr. Elacqua has retired from the practice of law. *Id.* at 3. Petitioner also states that Patent Owner, Network-1 Technologies, Inc., does not oppose the motion. *Id.*

Having reviewed Patent Owner’s unopposed motions to withdraw lead and backup counsel and substitute new lead and backup counsel, we *grant* the motions. We also note that in three of the proceedings, Petitioner has filed a Power of Attorney for Messrs. Krinsky and Suarez and practitioners associated with their law firm. IPR2015-00343, Paper 36; IPR2015-00347, Paper 34; IPR2015-00348, Paper 34. Upon issuance of this order, Petitioner shall file a similar Power of Attorney in IPR2015-00345. Petitioner also shall file updated Mandatory Notices in these proceedings identifying Mr. Krinsky and Mr. Suarez as lead and backup counsel, respectively.

² Because the motions are virtually identical, we cite to the papers filed in IPR2015-00343 unless otherwise indicated.

IPR2015-00343 (Patent 8,640,179 B1)
IPR2015-00345 (Patent 8,205,237 B2)
IPR2015-00347 (Patent 8,010,988 B2)
IPR2015-00348 (Patent 8,656,441 B1)

It is:

ORDERED that Petitioner's Motions for Withdrawal and Substitution of Counsel in these proceedings are *granted*;

FURTHER ORDERED that within five (5) business days of the date of this Order, Petitioner shall file a Power of Attorney for Mr. Krinsky and Mr. Suarez in IPR2015-00345 in accordance with 37 C.F.R. § 42.10(b); and

FURTHER ORDERED that within five (5) business days of this Order, Petitioner shall file updated Mandatory Notices identifying Mr. Krinsky and Mr. Suarez as lead and backup counsel, respectively, in accordance with 37 C.F.R. § 42.8(b)(3).

IPR2015-00343 (Patent 8,640,179 B1)
IPR2015-00345 (Patent 8,205,237 B2)
IPR2015-00347 (Patent 8,010,988 B2)
IPR2015-00348 (Patent 8,656,441 B1)

FOR PETITIONER:

Douglas R. Nemec
Skadden, Arps, Slate, Meagher & Flom LLP
Douglas.Nemec@skadden.com

David M. Krinsky
Christopher A. Suarez
Williams & Connolly LLP
dkrinsky@wc.com
csuarez@wc.com

FOR PATENT OWNER:

Charles R. Macedo
Brian A. Comack
Amster, Rothstein & Ebenstein LLP
cmacedo@arelaw.com
N1-Google-IPR@arelaw.com

Gregory Dovel
Dovel & Lunder, LLP
greg@dovellaw.com