

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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THE BOEING COMPANY,  
Petitioner,

v.

SEYMOUR LEVINE,  
Patent Owner.

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Case IPR2015-01341  
Patent RE39,618

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Before MICHAEL W. KIM, TRENTON A. WARD, and  
DANIEL N. FISHMAN, *Administrative Patent Judges*.

WARD, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motion for Admission *Pro Hac Vice* —  
Peter E. Gratzinger  
*37 C.F.R. § 42.10*

The Boeing Company (“Petitioner”) filed a Motion for Admission *Pro Hac Vice* of Peter E. Gratzinger (Paper 13, “Motion”), which was accompanied by an affidavit of Peter E. Gratzinger (Paper 14). Patent Owner, Seymour Levine, has not filed an opposition to the Motion.

Pursuant to 37 C.F.R. § 42.10(c), we 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. In authorizing motions for *pro hac vice*, we require the moving party to provide a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear in the proceeding.

Upon review of Petitioner’s Motion and supporting evidence, we determine that Petitioner has demonstrated that Mr. Gratzinger has sufficient legal and technical qualifications to represent Petitioner in the above-identified proceedings. We also recognize that there is a need for Petitioner to have him involved in these proceedings.

Accordingly, Petitioner has established that there is good cause for admitting Peter E. Gratzinger.

It is

ORDERED that Petitioner’s Motion for *Pro Hac Vice* Admission of Peter E. Gratzinger is granted; Mr. Gratzinger is authorized to represent Petitioner as back-up counsel in the above-identified proceeding;

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

FURTHER ORDERED that Mr. Gratzinger is to comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for

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Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations, and 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.*

PETITIONER:

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