

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASML NETHERLANDS B.V., EXCELITAS TECHNOLOGIES CORP.,
and QIOPTIQ PHOTONICS GMBH & CO. KG,
Petitioner,

v.

ENERGETIQ TECHNOLOGY, INC.,
Patent Owner.

Cases: IPR2015-01277 (Patent 8,309,943)
IPR2015-01279 (Patent 7,786,455)
IPR2015-01300, -01303, -01377 (Patent 7,435,982)
IPR2015-01362 (Patent 8,969,841)
IPR2015-01368 (Patent 8,525,138)
IPR2015-01375 (Patent 9,048,000)¹

Before JONI Y. CHANG and BARBARA A. PARVIS, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for Admission *Pro Hac Vice* of
Kevin S. Prussia and James M. Dowd
37 C.F.R. § 42.10

¹ This Order applies to each of the listed cases. We exercise our discretion to issue one Order to be docketed in each case. The parties, however, are not authorized to use this caption for any subsequent papers.

IPR2015-01277, IPR2015-01279, IPR2015-01300, IPR2015-01303, IPR2015-01362, IPR2015-01368, IPR2015-01375, and IPR2015-01377

Petitioner moves for *pro hac vice* admission of Mr. Kevin S. Prussia (*see, e.g.*, IPR2015-01277, Paper 23)² and Mr. James M. Dowd (*see, e.g.*, IPR2015-01277, Paper 24). Petitioner provides affidavits in support of its motions. *See, e.g.*, IPR2015-01277, Exs. 1017, 1018. Patent Owner does not oppose Petitioner's motions. *See, e.g.*, IPR2015-01277, Paper 23, 1; IPR2015-01277, Paper 24, 1.

Based on the facts set forth in the motions and the accompanying affidavits from Mr. Prussia and Mr. Dowd, we conclude that Mr. Prussia and Mr. Dowd have sufficient legal and technical qualifications to represent Petitioner in these cases, that Mr. Prussia and Mr. Dowd have demonstrated the necessary familiarity with the subject matter of these cases, and that there is a need for Petitioner to have counsel with experience as litigation attorneys in patent matters involved in these cases. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Prussia and Mr. Dowd. Mr. Prussia and Mr. Dowd will be permitted to appear *pro hac vice* in these cases as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's motions for *pro hac vice* admission of Mr. Prussia and Mr. Dowd are *granted*, and Mr. Prussia and Mr. Dowd are authorized to represent Petitioner as back-up counsel in these cases;

FURTHER ORDERED that Petitioner continue to have a registered practitioner as lead counsel in these cases;

FURTHER ORDERED that Mr. Prussia and Mr. Dowd comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for

² Citations herein will be to IPR2015-01277, unless otherwise noted.

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IPR2015-01362, IPR2015-01368, IPR2015-01375, and IPR2015-01377

Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations;
and

FURTHER ORDERED that Mr. Prussia and Mr. Dowd are subject to
the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and to the
USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et*
seq.

IPR2015-01277, IPR2015-01279, IPR2015-01300, IPR2015-01303,
IPR2015-01362, IPR2015-01368, IPR2015-01375, and IPR2015-01377

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