

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.

Case IPR2015-01277 (Patent 8,309,943)
Case IPR2015-01279 (Patent 7,786,455)
Cases IPR2015-01300, -01303, -01377 (Patent 7,435,982)
Cases IPR2015-01362, IPR2016-00127 (Patent 8,969,841)
Case IPR2015-01368 (Patent 8,525,138)
Cases IPR2015-01375, IPR2016-00126 (Patent 9,048,000)¹

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

PARVIS, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motion for Admission *Pro Hac Vice* of
Fabio E. Tarud
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, IPR2015-01377, IPR2016-00126, and IPR2016-00127

Patent Owner moves for *pro hac vice* admission of Mr. Fabio E. Tarud. IPR2015-01277, Paper 28; IPR2015-1279, Paper 28; IPR2015-01300, Paper 28; IPR2015-01362, Paper 32; IPR2015-01368, Paper 26; IPR2015-01375, Paper 33; IPR2015-01377, Paper 26; IPR2016-00126, Paper 13; IPR2016-00127, Paper 13. Patent Owner provides affidavits from Mr. Tarud in support of its motions. IPR2015-01277, Ex. 2086; IPR2015-1279, Ex. 2088; IPR2015-01300, Ex. 2102; IPR2015-01362, Ex. 2075; IPR2015-01368, Ex. 2086; IPR2015-01375, Ex. 2075; IPR2015-01377, Ex. 2203; IPR2016-00126, Ex. 2103; IPR2016-00127, Ex. 2103. Petitioner has not filed an opposition to Patent Owner's motions.

Based on the facts set forth in the motions and the accompanying affidavits from Mr. Tarud, we conclude that Mr. Tarud has sufficient legal and technical qualifications to represent Patent Owner in these cases, that Mr. Tarud has demonstrated the necessary familiarity with the subject matter of these cases, and that there is a need for Patent Owner have counsel with experience as a litigation attorney in patent matters involved in these cases. Accordingly, Patent Owner has established good cause for Mr. Tarud's *pro hac vice* admission. Mr. Tarud 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 Patent Owner's motions for *pro hac vice* admission of Mr. Fabio E. Tarud are *granted*, and Mr. Tarud is authorized to represent Patent Owner as back-up counsel in these cases;

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

IPR2015-01277, IPR2015-01279, IPR2015-01300, IPR2015-01303,
IPR2015-01362, IPR2015-01368, IPR2015-01375, IPR2015-01377,
IPR2016-00126, and IPR2016-00127

FURTHER ORDERED that Mr. Tarud comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. Tarud is 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.*

PETITIONER:

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