

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)
Case IPR2015-01300, -01303, -01377 (Patent 7,435,982)
Case IPR2015-01362 (Patent 8,969,841)
Case IPR2015-01368 (Patent 8,525,138)
Case IPR2015-01375 (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
Safraz W. Ishmael
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

Patent Owner moves for *pro hac vice* admission of Mr. Safraz W. Ishmael. IPR2015-01277, Paper 10; IPR2015-1279, Paper 10; IPR2015-01300, Paper 10; IPR2015-01303, Paper 10; IPR2015-01362, Paper 8; IPR2015-01368, Paper 8; IPR2015-01375, Paper 8; IPR2015-01377, Paper 8. Patent Owner provides affidavits from Mr. Ishmael in support of its motions. IPR2015-01277, Ex. 2001; IPR2015-1279, Ex. 2001; IPR2015-01300, Ex. 2101; IPR2015-01303, Ex. 2001; IPR2015-01362, Ex. 2001; IPR2015-01368, Ex. 2001; IPR2015-01375, Ex. 2001; IPR2015-01377, Ex. 2201. 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. Ishmael, we conclude that Mr. Ishmael has sufficient legal and technical qualifications to represent Patent Owner in these cases, that Mr. Ishmael 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. Ishmael's *pro hac vice* admission. Mr. Ishmael 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. Safraz W. Ishmael are *granted*, and Mr. Ishmael 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;

FURTHER ORDERED that Mr. Ishmael comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as

IPR2015-01277, IPR2015-01279, IPR2015-01300, IPR2015-01303, IPR2015-01362, IPR2015-01368, IPR2015-01375, and IPR2015-01377 set forth in Title 37, Part 42 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. Ishmael 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.*

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

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