

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC. and
LG ELECTRONICS U.S.A., INC.,
Petitioner,

v.

TOSHIBA SAMSUNG STORAGE TECHNOLOGY KOREA
CORPORATION,
Patent Owner.

Case IPR2015-01642 (Patent 6,721,110 B2)
Case IPR2015-01644 (Patent 6,785,065 B1)
Case IPR2015-01653 (Patent RE43,106 E)
Case IPR2015-01659 (Patent 7,367,037 B2)¹

Before KALYAN K. DESHPANDE, MICHAEL R. ZECHER, and
TREVOR M. JEFFERSON, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

DECISION

Granting Petitioner's Motion for *Pro Hac Vice* Admission of
Mr. Steven Lieberman
37 C.F.R. § 42.10(c)

¹ This Decision addresses an issue that is identical in all four cases. We, therefore, exercise our discretion to issue one Decision to be filed in each of the four cases. The parties, however, are not authorized to use this style heading in any subsequent papers.

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I. INTRODUCTION

Petitioner, LG Electronics, Incorporated and LG Electronics U.S.A., Incorporated (collectively, “LG”), filed a Motion for Admission *Pro Hac Vice* of Steven Lieberman in each of the four proceedings identified above. Paper 25 (“Mot.”).² Patent Owner, Toshiba Samsung Storage Technology Korea Corporation, does not oppose these Motions. For the reasons provided below, LG’s Motions are *granted*.

II. DISCUSSION

In accordance with 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. The representative Order authorizing motions for *pro hac vice* admission requires 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. *See* Paper 4, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

In these proceedings, lead counsel for LG, Mr. Brian A. Tollefson, is a registered practitioner. Mot. 2; Paper 1, 4–5. LG asserts that there is good cause for us to recognize Mr. Lieberman *pro hac vice* in these proceedings.

² For purposes of expediency, we refer to the papers filed in Case IPR2015-01642.

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Mot. 2–4. LG’s assertions in this regard are supported by a Declaration of Mr. Lieberman. Paper 26.³

Mr. Liebermann declares that he is a member in good standing of the Bars for the State of New York and the District of Columbia, and that he is admitted to practice before several district courts. Paper 26 ¶ 2. Mr. Lieberman also declares that he is familiar with the subject matter at issue in these proceedings, particularly because he represents LG in the related district court case. *Id.* ¶ 11. In addition, the facts alleged in Mr. Lieberman’s Declaration comply with all the requirements set forth in our representative Order authorizing motions for *pro hac vice* admission. See Paper 26 ¶¶ 1, 3–10, 12; Mot. 2–4.

On this record, we determine that Mr. Lieberman has sufficient legal and technical qualifications to represent LG in these proceedings. Accordingly, LG has established that there is good cause for the *pro hac vice* admission of Mr. Lieberman in these proceedings.

III. ORDER

Accordingly, it is

ORDERED that LG’s Motions for Admission *Pro Hac Vice* of Steven Liebermann are *granted*;

³ Mr. Lieberman’s Declaration was filed as a paper, rather than as a separate exhibit. This Declaration should have been filed as a separate exhibit in accordance with 37 C.F.R. § 42.63(a) (stating “Evidence consists of affidavits, transcripts of depositions, documents, and things. All evidence must be filed in the form of an exhibit.”).

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FURTHER ORDERED that Mr. Lieberman is authorized to represent LG as back-up counsel in these proceedings only;

FURTHER ORDERED that LG is to continue to have a registered practitioner represent it as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Lieberman shall comply with the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Mr. Lieberman shall be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), as well as the Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*

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