

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner,

v.

DSS TECHNOLOGY MANAGEMENT, INC.,
Patent Owner.

Case IPR2016-00287 (Patent 6,784,552)
Case IPR2016-00288 (Patent 6,784,552)
Case IPR2016-00289 (Patent 5,965,924)
Case IPR2016-00290 (Patent 5,965,924)¹

Before BRYAN F. MOORE, BRIAN J. McNAMARA, and
MINN CHUNG, *Administrative Patent Judges*.

CHUNG, *Administrative Patent Judge*.

DECISION

Denying Without Prejudice Petitioner's Motion for Admission *Pro Hac Vice*
of Louis W. Tompros
37 C.F.R. § 42.10

¹ This Order will be entered in each case. The parties are not authorized to use this caption style.

IPR2016-00287 (Patent 6,784,552)
IPR2016-00288 (Patent 6,784,552)
IPR2016-00289 (Patent 5,965,924)
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Intel Corporation (“Petitioner”) filed a Motion requesting *pro hac vice* admission of Louis W. Tompros in these proceedings, accompanied by a Declaration from Mr. Tompros in support of the motion. *See* Paper 9; Ex. 1027.² DSS Technology Management, Inc. (“Patent Owner”) has not filed an Opposition to the Motion. For the reasons discussed below, Petitioner’s Motion is *denied without prejudice*.

I. DISCUSSION

As set forth in 37 C.F.R. § 42.10(c), the Board 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. For example, where the lead counsel is a registered practitioner, a non-registered practitioner may be permitted to appear *pro hac vice* “upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” 37 C.F.R. § 42.10(c). In authorizing motions for *pro hac vice* admission, the Board also requires a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in these proceedings. *See* “Order – Authorizing Motion for *Pro Hac Vice* Admission” (Paper 7) in IPR2013-00639, entered October 15, 2013 (“639 Order”).

The Motion and supporting declaration do not establish good cause for *pro hac vice* admission of Mr. Tompros and do not comply with the

² Unless otherwise indicated, we refer to Papers and Exhibits filed in IPR2016-00287.

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requirements outlined in the '639 Order. For instance, the supporting declaration lacks the averments required by the '639 Order, part 2(b), paragraphs ii and iv. Petitioner's Motion cannot be granted at this time because the declaration of Louis W. Tompros does not indicate whether he was ever suspended or disbarred from practice before any court or administrative body, or whether a sanction or contempt citation was ever imposed on him by any court or administrative body.

II. ORDER

In consideration of the foregoing, it is hereby
ORDERED that Petitioner's Motion for *pro hac vice* admission of Louis W. Tompros is *denied without prejudice*; and
FURTHER ORDERED that Petitioner is authorized to perfect its motion and Mr. Tompros's Declaration to comply with the requirements set forth in the '639 Order.

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IPR2016-00290 (Patent 5,965,924)

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