

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS CO., LTD.,  
MICRON TECHNOLOGY, INC., and SK HYNIX, INC.,  
Petitioner,

v.

ELM 3DS INNOVATIONS, LLC,  
Patent Owner.

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Cases<sup>1</sup>

IPR2016-00386 (Patent 8,653,672) IPR2016-00387 (Patent 8,841,778)  
IPR2016-00388 (Patent 7,193,239) IPR2016-00389 (Patent 8,035,233)  
IPR2016-00390 (Patent 8,629,542) IPR2016-00391 (Patent 8,796,862)  
IPR2016-00393 (Patent 7,193,239) IPR2016-00394 (Patent 8,410,617)  
IPR2016-00395 (Patent 7,504,732)

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Before GLENN J. PERRY, BARBARA A. BENOIT, and  
FRANCES L. IPPOLITO, *Administrative Patent Judges*.

BENOIT, *Administrative Patent Judge*.

DECISION

Patent Owner's Motion for Withdrawal and Substitution of Counsel  
*37 C.F.R. § 42.10*

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<sup>1</sup> This Order addresses issues that are substantially similar in the proceedings. We exercise our discretion to issue one order to be entered in each case.

IPR2016-00386 (Patent 8,653,672)      IPR2016-00387 (Patent 8,841,778)  
IPR2016-00388 (Patent 7,193,239)      IPR2016-00389 (Patent 8,035,233)  
IPR2016-00390 (Patent 8,629,542)      IPR2016-00391 (Patent 8,796,862)  
IPR2016-00393 (Patent 7,193,239)      IPR2016-00394 (Patent 8,410,617)  
IPR2016-00395 (Patent 7,504,732)

Pursuant to 37 C.F.R. § 42.10, and as authorized by the Board, Patent Owner filed a motion seeking to withdraw current counsel and substitute new counsel. Paper 40.<sup>2</sup> The motion is unopposed. *Id.* at 3.

Under 37 C.F.R. § 42.10(e), the Board may authorize withdrawal of counsel. Patent Owner moves to withdraw current lead counsel Mr. Cyrus Morton (Reg. No. 44,954), backup counsel Ms. Kelsey Thorkelson (Reg. No. 73,130), and Mr. Samuel Walling. Patent Owner seeks to substitute Mr. William Meunier (Reg. No. 41,193) as lead counsel, and Mr. Michael T. Renaud (Reg. No. 44,299) as backup counsel. Patent Owner indicates that Mr. James Carmichael (Reg. No. 45,306) will remain back-up counsel.

As required by 37 C.F.R. § 42.10(b), Patent Owner provides a substitute power of attorney, appointing Mr. Meunier and Mr. Renaud, in support of its motion. Paper 34. Patent Owner represents that, upon grant of its motion, “new counsel for Patent Owner will promptly file Amended Patent Owner’s Mandatory Notices,” as required by 37 C.F.R. § 42.8(b). Paper 40, 3.

Patent Owner contends granting its motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Board, or the ability of the Board to timely complete these proceedings. *Id.*; *see* 35 U.S.C. § 316(b). Patent Owner also indicates that new counsel

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<sup>2</sup> Paper numbers refer to IPR2016-00386.

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IPR2016-00390 (Patent 8,629,542)      IPR2016-00391 (Patent 8,796,862)  
IPR2016-00393 (Patent 7,193,239)      IPR2016-00394 (Patent 8,410,617)  
IPR2016-00395 (Patent 7,504,732)

meet the requirements of 37 C.F.R. § 42.10(c) and are registered practitioners. Paper 40, 2.

Under the circumstances presented, the motion is granted.

### ORDER

Accordingly, it is:

ORDERED that Mr. Cyrus Morton (Reg. No. 44,954), Ms. Kelsey Thorkelson (Reg. No. 73,130), and Mr. Samuel Walling are no longer counsel in the instant proceedings;

FURTHER ORDERED that Mr. William Meunier (Reg. No. 41,193) is designated as lead counsel for Patent Owner, and Mr. Michael T. Renaud (Reg. No. 44,299) is designated as backup counsel for Patent Owner in the instant proceedings; and

FURTHER ORDERED that Mr. James Carmichael (Reg. No. 45,306) will remain as back-up counsel for Patent Owner in the instant proceedings.

IPR2016-00386 (Patent 8,653,672)  
IPR2016-00388 (Patent 7,193,239)  
IPR2016-00390 (Patent 8,629,542)  
IPR2016-00393 (Patent 7,193,239)  
IPR2016-00395 (Patent 7,504,732)

IPR2016-00387 (Patent 8,841,778)  
IPR2016-00389 (Patent 8,035,233)  
IPR2016-00391 (Patent 8,796,862)  
IPR2016-00394 (Patent 8,410,617)

FOR PETITIONER:

Jason Engel  
jason.engel.PTAB@klgates.com

Naveen Modi  
Allan Soobert  
Phillip Citroen  
PH-Samsung-ELM-IPR@paulhastings.com

John Kappos  
PTABMICRONELM@omm.com

Benjamin Weed  
Skhynix-Elm@klgates.com

Xin-Yi (Vincent) Zhou  
vzhou@omm.com

Brian Cook  
bcook@omm.com

FOR PATENT OWNER:

Cyrus A. Morton  
camorton@rkmc.com

James Carmichael  
jim@carmichaelip.com

Kelsey J. Thorkelson  
kthorkelson@robinskaplan.com

William A. Meunier  
wameunier@mintz.com

Michael T. Renaud  
mtrenaud@mintz.com