

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

DANIEL L. FLAMM,
Patent Owner.

Case IPR2016-01512
Patent RE40,264 E

Before MICHAEL R. ZECHER, CHRISTOPHER L. CRUMBLEY, and
JO-ANNE M. KOKOSKI, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

DECISION

Granting Patent Owner's Motion for *Pro Hac Vice* Admission of
Mr. Rolf O. Stadheim
37 C.F.R. § 42.10(c)

I. INTRODUCTION

Patent Owner, Daniel L. Flamm (“Flamm”), filed a Motion for Admission *Pro Hac Vice* of Mr. Rolf O. Stadheim. Paper 17 (“Mot.”). Petitioner, Samsung Electronics Co., Ltd., does not oppose this Motion. Mot. 2. For the reasons provided below, Flamm’s Motion is *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 3, 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”)).

Lead counsel for Flamm, Christopher Frerking, is a registered practitioner. Mot. 1; Paper 4, 2. Flamm asserts that there is good cause for us to recognize Mr. Stadheim *pro hac vice* in this proceeding. Mot. 1–2. Flamm’s assertions in this regard are supported by a Declaration of Mr. Stadheim. Ex. 2003.

Mr. Stadheim declares that he is a member in good standing of the State Bar of Illinois, and that he is admitted to practice before several district courts. Ex. 2003 ¶ 2. Mr. Stadheim also declares that he is familiar with the subject matter at issue in this proceeding, particularly because he has reviewed U.S. Patent No. RE40,264 E and the asserted prior art. Mot. 2;

Ex. 2003 ¶ 6. Moreover, the facts alleged in Mr. Stadheim's Declaration comply with all the requirements set forth in our representative Order authorizing motions for *pro hac vice* admission. See Ex. 2003 ¶¶ 1, 3–5, 7, 10; Mot. 1–2.

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

III. ORDER

Accordingly, it is

ORDERED that Flamm's Motion for Admission *Pro Hac Vice* of Mr. Rolf O. Stadheim is GRANTED;

FURTHER ORDERED that Mr. Stadheim is authorized to represent Flamm as back-up counsel in this proceeding only;

FURTHER ORDERED that Flamm is to continue to have a registered practitioner represent it as lead counsel in this proceeding;

FURTHER ORDERED that Mr. Stadheim 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. Stadheim 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.*

IPR2016-01512
Patent RE40,264 E

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