

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner,

v.

ONE-E-WAY, INC.,
Patent Owner.

Case IPR2016-01638 (Patent 9,282,396 B2)
Case IPR2016-01639 (Patent 9,282,396 B2)¹

Before DAVID C. MCKONE, ROBERT J. WEINSCHENK, and
JOHN F. HORVATH, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION
Motion for *Pro Hac Vice* Admission
37 C.F.R. § 42.10

¹ This Decision pertains to both of these cases. Therefore, we exercise our discretion to issue a single Decision to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

IPR2016-01638 (Patent 9,282,396 B2)

IPR2016-01639 (Patent 9,282,396 B2)

I. INTRODUCTION

Patent Owner filed a motion for *pro hac vice* admission of Payson LeMeilleur in the above-listed proceedings on October 20, 2017. Paper 31.² In an email to the Board on October 23, 2017, Patent Owner explained that the motion contained a typographical error. Patent Owner requested that we expunge the motion and consider a corrected version. Pursuant to Patent Owner's request, the motion is expunged.

Patent Owner filed a corrected motion for *pro hac vice* admission of Payson LeMeilleur in the above-listed proceedings on October 23, 2017. Paper 33 ("Motion" or "Mot."). Petitioner does not oppose the Motion. Mot. 1. For the following reasons, the Motion is *granted*.

II. ANALYSIS

Counsel may be admitted *pro hac vice* upon a showing of good cause, subject to the condition that lead counsel is a registered practitioner. 37 C.F.R. § 42.10(c). Specifically, if lead counsel is a registered practitioner, back-up counsel 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." *Id.* For the reasons set forth in the Motion and the accompanying affidavit of Mr. LeMeilleur (Ex. 2002), we find that good cause exists to admit Mr. LeMeilleur *pro hac vice* in the above-listed proceedings.

² We cite to the record in IPR2016-01638.

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III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Motion is *granted*, and Mr. Payson LeMeilleur is authorized to represent Patent Owner as back-up counsel in the above-listed proceedings;

FURTHER ORDERED that a registered practitioner will continue to represent Patent Owner as lead counsel in the above-listed proceedings; and

FURTHER ORDERED that Mr. LeMeilleur is to comply with the Board's Rules of Practice for Trials set forth in Part 42 of Title 37, Code of Federal Regulations, and the Office Patent Trial Practice Guide, and is subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

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