

Filed on behalf of Valencell, Inc.
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FITBIT, INC.,
Petitioner,

v.

VALENCELL, INC.,
Patent Owner.

Case IPR2017-00319¹
U.S. Patent No. 8,923,941

**PATENT OWNER'S MOTION TO WITHDRAW AND
SUBSTITUTE COUNSEL UNDER 37 C.F.R. § 11.116**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹ Case IPR2017-01555 has been joined with this proceeding.

I. STATEMENT OF RELIEF REQUESTED

Pursuant to 37 C.F.R. §§ 11.116 and 42.10(e), and as authorized by the Board in an e-mail dated July 2, 2021, Patent Owner Valencell, Inc. (“Patent Owner”) requests the Board withdraw Justin B. Kimble (Registration No. 58,591), who is currently Lead Counsel for Patent Owner, and substitute Daniel F. Olejko (Reg. No. 76,958) as Lead Counsel.

Patent Owner has conferred with Petitioner’s counsel. Petitioner does not oppose this motion.

II. STATEMENT OF REASONS FOR WITHDRAWAL

Mr. Kimble is no longer associated with the law firm Bragalone Olejko Saad PC. Thus, Patent Owner wishes to remove Mr. Kimble as Lead Counsel in this proceeding.

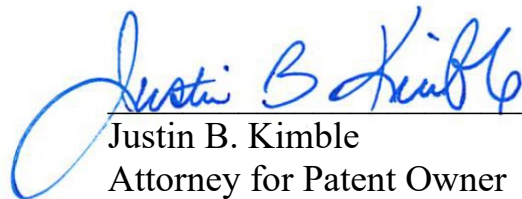
Daniel F. Olejko (Registration No. 76,958), who is currently listed as one of Patent Owner’s Back-Up Counsel, will take over as Patent Owner’s Lead Counsel, and Jeffrey R. Bragalone, T. William Kennedy, Jr., Jonathan H. Rastegar, Marcus Benavides, R. Scott Rhoades, and Sanford E. Warren, Jr. remain as Back-Up Counsel. Updated Mandatory Notices removing Mr. Kimble and designating Mr. Olejko as Lead Counsel will be filed upon the granting of the present motion.

III. CONCLUSION

Patent Owner respectfully requests that the Board grant its motion to authorize the withdrawal of Justin B. Kimble from this proceeding and to substitute Daniel F. Olejko as Lead Counsel in this proceeding.

Dated: July 6, 2021

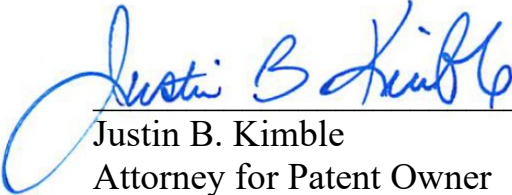
Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that document has been served via electronic mail on July 6, 2021, to Petitioner at following email addresses pursuant to Petitioner's consent in its Updated Mandatory Notices p. 1:
jimglass@quinnemanuel.com; samstake@quinnemanuel.com; and
ogizivojnovic@quinnemanuel.com.



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