

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENT INC.,
Petitioner

v.

PLECTRUM LLC,
Patent Owner

IPR2017-01430
Patent 5,978,951

Before KEN B. BARRETT, MIRIAM L. QUINN, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

McSHANE, *Administrative Patent Judge*.

DECISION

Patent Owner's Unopposed Motion for
Pro Hac Vice Admission of C. Ryan Pinckney
37 C.F.R. § 42.10(c)

I. INTRODUCTION

Plectrum LLC (“Patent Owner”), filed a Motion for *Pro Hac Vice* Admission of C. Ryan Pinckney in this proceeding. Paper 22 (“Mot.”). A supporting Declaration has also been filed. Ex. 2006 (“Decl.”). Patent Owner represents that Petitioner, Unified Patent Inc., does not oppose the grant of this motion. Mot. 1. For the reasons provided below, Patent Owner’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 4, 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”)).

Patent Owner asserts that there is good cause for us to recognize Mr. Pinckney *pro hac vice* in this proceeding. Mot. 3. Patent Owner’s assertions in this regard are supported by the Declaration of Mr. Pinckney. Decl. 1–2.

Mr. Pinckney declares that he is a member in good standing of the bar of Texas and the U.S. District Court for the Eastern District of Texas. Decl. 1. Mr. Pinckney also declares that he is familiar with the subject matter at issue in this proceeding. *Id.* at 2. In addition, the facts alleged in Mr. Pinckney's Declaration comply with the requirements set forth in our representative Order authorizing motions for *pro hac vice* admission. *See id.* at 1–2; Mot. 1–5.

On this record, we determine that Mr. Pinckney has sufficient qualifications to represent Patent Owner in this proceeding. We also determine that Patent Owner has established that there is good cause for the *pro hac vice* admission of Mr. Pinckney in this proceeding.

III. ORDER

Accordingly, it is

ORDERED that Patent Owner's Unopposed Motion for *Pro Hac Vice* Admission of Mr. C. Ryan Pinckney is GRANTED. Mr. Pinckney is authorized to represent Patent Owner as back-up counsel in this proceeding only;

FURTHER ORDERED that Patent Owner shall continue to have a registered practitioner represent it as lead counsel in this proceeding;

FURTHER ORDERED that Mr. Pinckney shall comply with the Office Patent Trial Practice Guide 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. Pinckney is 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.*

Case IPR2017-01255 (Patent 8,798,593 B2)

Case IPR2017-01264 (Patent 8,798,647 B1)

PETITIONER:

David L. Cavanaugh

Daniel V. Williams

WILMER CUTLER PICKERING HALE AND DORR LLP

david.Cavanaugh@wilmerhale.com

daniel.williams@wilmerhale.com

Roshan Mansinghani

Jonathan Stroud

Unified Patents Inc.

Roshan@unifiedpatents.com

jonathan@unifiedpatents.com

PATENT OWNER:

Zachariah S. Harrington

Larry D. Thompson, Jr.

Matthew J. Antonelli

ANTONELLI, HARRINGTON & THOMPSON LLP

zac@ahtlawfirm.com

larry@ahtlawfirm.com

matt@ahtlawfirm.com