

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC., WHATSAPP INC., HUAWEI DEVICE CO., LTD.,
and LG ELECTRONICS, INC.,
Petitioner,

v.

UNILOC USA, INC. and UNILOC LUXEMBOURG S.A.,
Patent Owner.

Case IPR2017-01667 (Patent 8,724,622 B2)¹

FACEBOOK, INC. and WHATSAPP INC.,
Petitioner,

v.

UNILOC LUXEMBOURG S.A.,
Patent Owner.

Case IPR2017-01668 (Patent 8,724,622 B2)

Before JENNIFER S. BISK, MIRIAM L. QUINN, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

¹ Huawei Device Co., Ltd. and LG Electronics, Inc., which filed a petition and motion for joinder in IPR2017-02090, have been joined as petitioners in IPR2017-01667. Case IPR2017-01667, Paper 12.

IPR2017-01667 (Patent 8,724,622 B2)

IPR2017-01668 (Patent 8,724,622 B2)

BOUDREAU, *Administrative Patent Judge*.

DECISION

Facebook, Inc. and WhatsApp Inc.'s Unopposed Motion for
Admission *Pro Hac Vice* of Mark R. Weinstein
37 C.F.R. § 42.10

IPR2017-01667 (Patent 8,724,622 B2)

IPR2017-01668 (Patent 8,724,622 B2)

Facebook, Inc. and WhatsApp Inc. filed a Motion for *pro hac vice* admission of Mark R. Weinstein in each of the above-captioned proceedings. Paper 20 (“Motion” or “Mot.”).² Facebook, Inc. and WhatsApp Inc. also filed a Declaration of Mr. Weinstein in support of its Motion in each case. Ex. 1023. The Motion represents that Patent Owner does not oppose. Mot. 1.

We have reviewed the Motions and the accompanying declaration of Mr. Weinstein. Based on the facts averred in the Declaration, we conclude that Mr. Weinstein has sufficient qualifications to represent Facebook, Inc. and WhatsApp Inc. in these proceedings because Mr. Weinstein has demonstrated familiarity with the subject matter of these proceedings and experience as a litigation attorney in patent matters involved in these proceedings. The Motions state that there is good cause for the Board to recognize Mr. Weinstein as counsel *pro hac vice* because Facebook, Inc. and WhatsApp Inc. seek to have counsel in the related District Court cases involved in the related *inter partes* reviews. Paper 20, 2. The Motions are hereby granted, and Mr. Weinstein will be permitted to appear *pro hac vice* in these proceedings as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

² The same Motion has been filed in each of the captioned proceedings. Citations refer to the filings in IPR2017-01667.

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ORDER

It is

ORDERED that Facebook, Inc. and WhatsApp Inc.'s Unopposed Motion for *pro hac vice* admission of Mr. Mark R. Weinstein in each of the instant proceedings is granted;

FURTHER ORDERED that Mr. Weinstein will be authorized to represent Facebook, Inc. and WhatsApp Inc. as back-up counsel in the instant proceedings only;

FURTHER ORDERED that Facebook, Inc. and WhatsApp Inc. are to continue to have a registered practitioner as lead counsel in the instant proceedings;

FURTHER ORDERED that Mr. Weinstein is to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. Weinstein is subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq. and the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

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For PETITIONER:

Heidi L. Keefe

Phillip E. Morton

COOLEY LLP

hkeefe@cooley.com

pmorton@cooley.com

zpatdcdocketing@cooley.com

Anand Sharma

Minjae Kang

Joshua Goldberg

Bradford Shulz

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P

anand.sharma@finnegan.com

minjae.kang@finnegan.com

joshua.goldbert@finnegan.com

bradford.shulz@finnegan.com

For PATENT OWNER:

Brett Mangrum

James Etheridge

Jeffrey Huang

Ryan Loveless

ETHERIDGE LAW GROUP

brett@etheridgelaw.com

jim@etheridgelaw.com

jeff@etheridgelaw.com

ryan@etheridgelaw.com

Sean D. Burdick

UNILOC USA, INC.

sean.burdick@unilocusa.com