

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNIFIED PATENTS, INC.,  
Petitioner,

v.

UNILOC 2017 LLC,  
Patent Owner.

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Case IPR2018-00199  
Patent 7,092,671 B2

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Before MIRIAM L. QUINN, CHARLES J. BOUDREAU, and  
GARTH D. BAER, *Administrative Patent Judges*.

BAER, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motion for Admission  
*Pro Hac Vice* of Travis Richins  
37 C.F.R. § 42.10

On February 15, 2019, Patent Owner filed a Motion for admission *pro hac vice* of Travis Richins. Paper 25 (“Motion”). Patent Owner also filed a Declaration of Mr. Richins in support of the Motion. Ex. 2008 (“Declaration”). Patent Owner attests that Petitioner does not oppose the Motion. Paper 25, 2. For the reasons provided below, Patent Owner’s Motion is *granted*.

Pursuant to 37 C.F.R. § 42.10(c), the Board 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. In its notice authorizing motions for *pro hac vice* admission, the Board requires a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in this proceeding. *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”)).

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude that Mr. Richins has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Mr. Richins has demonstrated sufficient familiarity with the subject matter of this proceeding, and that Patent Owner’s intent to be represented by counsel with litigation experience is warranted. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Richins. Mr. Richins will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed a Mandatory Notice identifying Mr. Richins as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 26. A Power of Attorney, however, has not been submitted for Mr. Richins. Accordingly,

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Patent Owner must submit a Power of Attorney for Mr. Richins in accordance with 37 C.F.R. § 42.10(b).

Accordingly, it is:

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Mr. Travis Richins is *granted*;

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

FURTHER ORDERED that Mr. Richins is authorized to represent Patent Owner only as back-up counsel in this proceeding;

FURTHER ORDERED that Mr. Richins is to comply with the Office Patent Trial Practice Guide, as updated by the August 2018 Update, 83 Federal Register 39,989 (Aug. 13, 2018), and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;

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

FURTHER ORDERED that, within ten (10) business days of the date of this Order, Patent Owner must submit a Power of Attorney for Mr. Richins in this proceeding in accordance with 37 C.F.R. § 42.10(b).

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