

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

HTC CORPORATION AND HTC AMERICA, INC.,  
Petitioner,

v.

JOE ANDREW SALAZAR,  
Patent Owner.

---

Case IPR2018-00273  
Patent 5,802,467

---

Before JAMESON LEE, MATTHEW J. McNEILL, and  
STACY B. MARGOLIES, *Administrative Patent Judges*.

McNEILL, *Administrative Patent Judge*.

ORDER

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

Joe Andrew Salazar (“Patent Owner”) filed a Motion for *Pro Hac Vice* Admission of Dariush Keyhani. Paper 8 (“Motion”). Patent Owner also filed a declaration from Mr. Keyhani in support of the Motion. Ex. 2001 (“Declaration”). Patent Owner’s Motion indicates HTC Corporation and HTC America, Inc. (collectively, “Petitioner”) does not oppose the Motion. Paper 8, 1. Petitioner did not file an opposition.

The Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel is a registered practitioner. 37 C.F.R. § 42.10(c). If lead counsel is a registered practitioner, a non-registered practitioner 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.*

In this proceeding, lead counsel for Patent Owner is Jennifer Meredith, a registered practitioner. Paper 4, 2. In support of the Motion, Mr. Keyhani declares that he is a member of the New Jersey bar. Ex. 2001 ¶¶ 2, 6. Mr. Keyhani declares that he has never been suspended, disbarred, sanctioned or cited for contempt by any court or administrative body, and that he has never had an application for admission to practice denied by any court or administrative body. *Id.* ¶¶ 7–9. Mr. Keyhani declares that he is an experienced litigation attorney who is familiar with the subject matter at issue in this proceeding based on his representation of Patent Owner in court proceedings involving the same technology. *Id.* ¶¶ 3–4. Mr. Keyhani also declares that he is familiar with the issued claims in U.S. Patent No. 5,802,467 as well as the prior art references and associated grounds of unpatentability involved in this proceeding. *Id.* ¶ 4. Mr. Keyhani further

IPR2018-00273  
Patent 5,802,467

declares that he has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials as set forth in 37 C.F.R. Part 42, and agrees to be subject to the USPTO's Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶¶ 10–11.

Having reviewed the Motion and the Declaration, we conclude that Mr. Keyhani has sufficient qualifications to represent Patent Owner in these proceedings and that Patent Owner has shown good cause for Mr. Keyhani's *pro hac vice* admission. *See Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (setting forth the requirements for *pro hac vice* admission). Mr. Keyhani will be permitted to appear *pro hac vice* in these proceedings as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

Patent Owner is reminded of its obligation under 37 C.F.R. § 42.8 to update its mandatory notices with back-up counsel information within 21 days of a change of information.

#### ORDER

ORDERED that Patent Owner's Motion for *Pro Hac Vice* Admission of Dariush Keyhani Under 37 C.F.R. § 42.10(c) is *granted*, and Mr. Keyhani is authorized to represent Patent Owner only as back-up counsel in these proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Keyhani 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

IPR2018-00273  
Patent 5,802,467

FURTHER ORDERED that Mr. Keyhani is subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO's Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

IPR2018-00273  
Patent 5,802,467

FOR PETITIONER:

B. Todd Patterson  
Jerry R. Selinger  
PATTERSON+SHERIDAN, LLP  
tpatterson@pattersonsheridan.com  
jselinger@pattersonsheridan.com

FOR PATENT OWNER:

Jennifer Meredith  
Sucheta Chitgopekar  
Dariush Keyhani  
MEREDITH & KEYHANI, PLLC  
jmeredith@meredithkeyhani.com