

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

UNIVERSAL SECURE REGISTRY, LLC,
Patent Owner.

IPR2018-00809 (Patent 9,530,137 B2)
IPR2018-00810 (Patent 9,100,826 B2)
IPR2018-00813 (Patent 9,100,826 B2)¹

Before PATRICK R. SCANLON, GEORGIANNA W. BRADEN, and
JASON W. MELVIN, *Administrative Patent Judges*.

MELVIN, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Unopposed Motion for
Pro Hac Vice Admission of Mark D. Selwyn
37 C.F.R. § 42.10(c)

¹ This Decision addresses issues pertaining to multiple proceedings. The Parties are not authorized to use this style heading for any subsequent papers.

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On December 7, 2018, Petitioner, Apple Inc., filed an Unopposed Motion for *Pro Hac Vice* Admission of Mark D. Selwyn (Paper 12,² “Motion” or “Mot.”). The Motion was accompanied by a Declaration of Mark D. Selwyn in Support of Motion for Admission *Pro Hac Vice* (Exhibit 1124, “Declaration”). Mot. 3.³

Pursuant to 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. In authorizing motions for *pro hac vice*, we require the moving party to provide 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 in the proceeding.

Upon review of the Motion and supporting evidence, we determine Petitioner has demonstrated that Mark D. Selwyn has sufficient legal and technical qualifications to represent Petitioner in the above-identified proceedings. Accordingly, Petitioner has established that there is good cause for admitting Mark D. Selwyn.

It is

ORDERED that the Motion seeking admission *pro hac vice* for Mark D. Selwyn is *granted*;

FURTHER ORDERED that Mark D. Selwyn is authorized to represent Petitioner as backup counsel in these proceedings;

² Paper and exhibit numbers cited are for IPR2018-00809. Corresponding papers and exhibits were filed in each of the captioned cases.

³ The pages of the Motion are unnumbered.

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FURTHER ORDERED that a registered practitioner must remain as lead counsel throughout these proceedings;

FURTHER ORDERED that Mark D. Selwyn is to comply with the Office Patent Trial Practice Guide, as updated by the Office Patent Trial Practice Guide August 2018 Update, 83 Fed. Reg. 39,989 (Aug. 13, 2018), and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.;

FURTHER ORDERED that Mark D. Selwyn is to be 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);

FURTHER ORDERED that Petitioner must submit a Power of Attorney for Mark D. Selwyn in accordance with 37 C.F.R. § 42.10(b); and

FURTHER ORDERED that Petitioner must file updated Mandatory Notices identifying Mark D. Selwyn as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

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PETITIONER:

Monica Grewal

Ben Fernandez

Kelvin chan

WILMER CUTLER PICKERING HALE AND DORR LLP

monica.grewal@wilmerhale.com

ben.fernandez@wilmerhale.com

kelvin.chan@wilmerhale.com

PATENT OWNER:

James M. Glass

Tigran Guledjian

Christopher A. Mathews

Nima Hefazi

Richard Lowry

QUINN EMANUEL URQUHART & SULLIVAN LLP

jimglass@quinnemanuel.com

tigranguledjian@quinnemanuel.com

chrismathews@quinnemanuel.com

nimahefazi@quinnemanuel.com

richardlowry@quinnemanuel.com