

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

UNIVERSAL SECURE REGISTRY LLC,
Patent Owner.

Cases

IPR2018-00809 (Patent 9,530,137 B2)
IPR2018-00810 (Patent 9,100,826 B2)
IPR2018-00812 (Patent 8,856,539 B2)
IPR2018-00813 (Patent 9,100,826 B2)
CBM2018-00024 (Patent 8,577,813 B2)
CBM2018-00025 (Patent 8,577,813 B2)¹

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

MELVIN, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motions for Admission
Pro Hac Vice of Harold A. Barza and Jordan B. Kaericher
37 C.F.R. § 42.10

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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Patent Owner filed Motions for admission *pro hac vice* of Harold A. Barza (Paper 15) and Jordan B. Kaericher (Paper 16) (collectively, “Motions”).² Patent Owner also filed Declarations of Mr. Barza (Ex. 2004) and Mr. Kaericher (Ex. 2005) in support of the Motions (collectively, “Declarations”). Patent Owner indicates Petitioner does not oppose the motions. Paper 15, 2; Paper 16, 2. For the reasons provided below, Patent Owner’s Motions are *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 these proceedings. *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”).

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Barza and Mr. Kaericher each have sufficient legal and technical qualifications to represent Patent Owner in these proceedings, that Mr. Barza and Mr. Kaericher each have

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

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demonstrated sufficient familiarity with the subject matter of these proceedings, and that Patent Owner's desire to be represented by counsel with litigation experience is warranted. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Barza and Mr. Kaericher. Mr. Barza and Mr. Kaericher will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

Accordingly, it is:

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Mr. Barza and Mr. Kaericher are *granted*;

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

FURTHER ORDERED that Mr. Barza and Mr. Kaericher are authorized to represent Patent Owner only as back-up counsel in these proceedings;

FURTHER ORDERED that Mr. Barza and Mr. Kaericher are 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. Barza and Mr. Kaericher 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.*;

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FURTHER ORDERED that Patent Owner must submit Powers of Attorney for Mr. Barza and Mr. Kaericher in accordance with 37 C.F.R. § 42.10(b); and

FURTHER ORDERED that Patent Owner shall file updated Mandatory Notices in these proceedings in accordance with 37 C.F.R. § 42.8(b)(3), identifying Mr. Barza and Mr. Kaericher as back-up counsel.

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