

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, INC.,
Petitioner,

v.

REALTIME ADAPTIVE STREAMING, LLC,
Patent Owner.

Case IPR2018-00883
Patent 8,934,535 B2

Before KEVIN W. CHERRY, GARTH D. BAER, and NABEEL U. KHAN,
Administrative Patent Judges.

KHAN, *Administrative Patent Judge.*

ORDER

Granting Patent Owner's Motions for Admission
Pro Hac Vice of Kayvan B. Noroozi and Thomas C. Chen
37 C.F.R. § 42.10

Patent Owner filed Motions for admission *pro hac vice* of Kayvan B. Noroozi (Paper 8) and Thomas C. Chen (Paper 12) (collectively “Motions”). Patent Owner also filed Declarations of Kayvan B. Noroozi (Ex. 2001) and Thomas C. Chen (Ex. 2002) in support of the Motions (collectively “Declarations”). Petitioner has not filed an opposition to the Motions. 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 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 Motions and the accompanying Declarations, we conclude that Mr. Noroozi and Mr. Chen each have sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Mr. Noroozi and Mr. Chen have each 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. Noroozi and Mr. Chen. Mr. Noroozi and Mr. Chen 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. Kayvan B. Noroozi and Mr. Thomas C. Chen are *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. Noroozi and Mr. Chen are authorized to represent Patent Owner only as back-up counsel in this proceeding;

FURTHER ORDERED that Mr. Noroozi and Mr. Chen 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. Noroozi and Mr. Chen 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 Patent Owner shall file an updated Mandatory Notice in this proceeding in accordance with 37 C.F.R. § 42.8(b)(3), identifying Mr. Noroozi and Mr. Chen as back-up counsel.

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