

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

CYWEE GROUP LTD.,
Patent Owner.

Case IPR2018-01257 (Patent 8,552,978 B2)
Case IPR2018-01258 (Patent 8,441,438 B2)¹

Before PATRICK M. BOUCHER, KAMRAN JIVANI, and
CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

BOUCHER, *Administrative Patent Judge*.

DECISION
*Motions for Pro Hac Vice Admission of
Cecil E. Key
37 C.F.R. § 42.10*

¹ This Order addresses issues that are the same in all identified cases. We exercise our discretion to issue one Order to be filed in each case. The parties, however, are not authorized to use this style heading in subsequent papers.

IPR2018-01257 (Patent 8,552,978 B2)

IPR2018-01258 (Patent 8,441,438 B2)

Patent Owner filed Motions for *Pro Hac Vice* Admission of Cecil E. Key in these proceedings. Paper 16 (“Motion”).² Petitioner has not filed an opposition. The Motions are *granted*.

In its Motions, Patent Owner states that there is good cause to recognize Mr. Key during these proceedings because Mr. Key “is an experienced patent litigator and has a familiarity with the subject matter at issue,” and the admission of Mr. Key “will facilitate the party’s ability to effectively participate.” *Id.* at 2. The Motions include, as exhibits, Declarations made by Mr. Key, attesting to and sufficiently explaining these facts. Ex. 2013. In addition, Mr. Key “agrees to be subject to the Office Patent Trial Practice Guide, the Board’s Rules of Practice for Trials set forth in part 42 of 37 C.F.R., and the USPTO’s Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*” and agrees to “submit to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).” *Id.* at 3.

Upon consideration, Patent Owner has demonstrated sufficiently that Mr. Key has sufficient legal and technical qualifications to represent Patent Owner in this proceeding. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, slip op. at 3–4 (PTAB Oct. 15, 2013) (Paper 7) (setting forth the requirements for *pro hac vice* admission).

It is

ORDERED that Patent Owner’s Motions seeking admission *Pro Hac Vice* for Cecil E. Key is GRANTED;

FURTHER ORDERED that Mr. Key shall comply with the Office

² We cite to documents filed in IPR2018-01257. Similar documents are filed in IPR2018-01258.

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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 37 C.F.R.,³ and is subject to the Office's Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.*, and disciplinary jurisdiction under 37 C.F.R. § 11.19(a); and;

FURTHER ORDERED that Patent Owner shall continue to have a registered practitioner represent it as lead counsel in this proceeding; Mr. Key is authorized to represent Patent Owner only as back-up counsel in this proceeding.

PETITIONER:

Matthew Smith
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Andrew Baluch
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PATENT OWNER:

Jay Kesan
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³ In the Declarations, Mr. Key states that "I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of the C.F.R." Exhibit 2013 ¶ 9. The Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials are set forth in Part 42 of Title 37, Code of Federal Regulations. We deem this harmless error.