

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

QUALCOMM INCORPORATED,  
Patent Owner.

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Case IPR2018-01279  
Patent 7,844,037 B2

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Before DANIEL N. FISHMAN, MICHELLE N. WORMMEESTER, and  
SCOTT B. HOWARD, *Administrative Patent Judges*.

HOWARD, *Administrative Patent Judge*.

ORDER  
Granting Petitioner's Motion for *Pro Hac Vice* Admission of  
Sara C. Fish  
*37 C.F.R. § 42.10*

On July 18, 2019, Petitioner filed a motion requesting *pro hac vice* admission of Sara C. Fish. Paper 27 (“Motion”). Petitioner submitted a Declaration from Ms. Fish in support of the Motion. Ex. 1015. Petitioner attests that Patent Owner does not oppose the Motion. Motion 1.

In accordance with 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide 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 the proceeding. *See* Paper 5, 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 Motion and the accompanying Declaration, we conclude that Ms. Fish has sufficient legal and technical qualifications to represent Petitioner in this proceeding and has demonstrated sufficient familiarity with the subject matter of this proceeding. *See* Ex. 1015 ¶¶ 8–9. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Ms. Fish.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner’s Motion for *pro hac vice* admission of Sara C. Fish is *granted*;

FURTHER ORDERED that Petitioner must file, within ten (10) business days, an updated mandatory notice identifying Ms. Fish as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Petitioner must file, within ten (10) business days, a Power of Attorney for the instant proceeding for Ms. Fish in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Petitioner continue to have a registered practitioner represent it as lead counsel for the instant proceeding, but that Ms. Fish is authorized to act as back-up counsel;

FURTHER ORDERED that Ms. Fish comply with the Office Patent Trial Practice Guide, including the August 2018 Update (83 Fed. Reg. 39,989 (Aug. 13, 2018)) and the July 2019 Update (84 Fed. Reg. 33,925 (July 16, 2019)), and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Ms. Fish is 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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