

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner

v.

QUALCOMM INCORPORATED,
Patent Owner.

IPR2019-00047; IPR2019-00048;
IPR2019-00049; IPR2019-00128; and IPR2019-00129
Patent 9,154,356 B2¹

Before DANIEL N. FISHMAN, MICHELLE N. WORMMEESTER, and
AARON W. MOORE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for *Pro Hac Vice*
Admission of Gregory H. Lantier
37 C.F.R. § 42.10

¹ This Order applies to each of the above-listed proceedings. We exercise our discretion to issue one Order to be filed in each proceeding. Unless otherwise authorized, the parties shall not use this heading style in any subsequent papers.

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Petitioner filed Motions for *Pro Hac Vice* Admission of Gregory H. Lantier (“Motions”) in the above-listed proceedings. Paper 14 (“Mot.”).² The Motions are unopposed. Upon review of the record before us, and for the reasons set forth below, Petitioner’s Motions are *granted*.

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 that 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 Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”).

Lead Counsel for Petitioner is David L. Cavanaugh, a registered practitioner. Mot. 1. In the Motions, Petitioner states that there is good cause for the Board to recognize Mr. Lantier *pro hac vice* in these proceedings. *Id.* The Motions further assert that Mr. Lantier has experience and familiarity with the subject matter of the patent at issue. *Id.*

Declarations of Gregory H. Lantier attesting to, and sufficiently explaining, the required facts accompany the Motions. Ex. 1038. The Declarations comply with the requirements for *pro hac vice* admission and establish that Mr. Lantier is an experienced attorney with an established familiarity with the subject matter at issue in these proceedings. *Id.* ¶¶ 2, 13–14. The Declarations further acknowledge that Mr. Lantier is subject to

² All citations are to IPR2019-00047 unless otherwise noted.

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the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶ 11.

Upon consideration of the circumstances of these proceedings, Petitioner has demonstrated sufficiently that Mr. Lantier has sufficient legal and technical qualifications to represent Petitioner. Accordingly, Petitioner has established that there is good cause for admitting Mr. Lantier. Mr. Lantier may only be designated as backup counsel.

We also note that Petitioner should update its mandatory notices for each of the above-identified proceedings, as required by 37 C.F.R. § 42.8, and update its counsel information in the PTAB E2E filing system.

Petitioner's Motions are *granted*.

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ORDER

It is:

ORDERED that the Motions for *Pro Hac Vice* Admission of Gregory H. Lantier are *granted*, and that Gregory H. Lantier is authorized to represent Petitioner, only as backup counsel, in these proceedings;

FURTHER ORDERED that a registered practitioner will continue to represent Petitioner as lead counsel in these proceedings;

FURTHER ORDERED that Petitioner must file updated mandatory notices in these proceedings identifying Mr. Lantier as backup counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Mr. Lantier shall comply with the Office Patent Trial Practice Guide, as updated by the July 2019 Update, 84 Federal Register 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 Mr. Lantier is subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

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PETITIONER:

David Cavanaugh
John Hobgood
Benjamin Fernandez
WILMER CUTLER PICKERING HALE & DORR LLP
david.cavanaugh@wilmerhale.com
john.hobgood@wilmerhale.com
ben.fernandez@wilmerhale.com

PATENT OWNER:

David Cochran
Matthew Johnson
Joseph Sauer
Joshua Nightingale
David Maiorana
JONES DAY
dcochran@jonesday.com
mwjohnson@jonesday.com
jmsauer@jonesday.com
jrnightingale@jonesday.com
dmaiorana@jonesday.com