

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAYPAL, INC., UPWORK GLOBAL INC., SHOPIFY, INC., SHOPIFY (USA),
INC., STRAVA INC., VALASSIS COMMUNICATIONS, INC.,
RETAILMENOT, INC., and DOLLAR SHAVE CLUB, INC.,
Petitioners,

v.

PERSONALWEB TECHNOLOGIES, LLC,
Patent Owner.

Cases

IPR2019-01089 (Patent 8,099,420 B2)
IPR2019-01091 (Patent 8,099,420 B2)
IPR2019-01092 (Patent 6,928,442 B2)
IPR2019-01093 (Patent 7,945,544 B2)
IPR2019-01111 (Patent 7,802,310 B2)¹

Before MICHAEL R. ZECHER, *Administrative Patent Judge*.

DECISION

Granting Patent Owner's Motions for *Pro Hac Vice* Admission of
Mr. Lawrence M. Hadley
37 C.F.R. § 42.10(c)

¹ This Decision addresses an issue that is identical in all five cases. We, therefore, exercise our discretion to issue one Decision to be filed in each case. The parties, however, are not authorized to use this style heading in any subsequent papers.

IPR2019-01089 (Patent 8,099,420 B2) IPR2019-01093 (Patent 7,945,544 B2)
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IPR2019-01092 (Patent 6,928,442 B2)

I. INTRODUCTION

Patent Owner, PersonalWeb Technologies, LLC (“PersonalWeb”), filed a Motion for *Pro Hac Vice* Admission of Mr. Lawrence M. Hadley in each of the proceedings identified above. Paper 12 (“Mot.”).² Petitioners, PayPal, Inc., Upwork Global Inc., Shopify, Inc., Shopify (USA), Inc., Strava Inc., Valassis Communications, Inc., RetailMeNot, Inc., and Dollar Shave Club, Inc., did not file oppositions. For the reasons provided below, PersonalWeb’s Motions are *granted*.

II. DISCUSSION

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, subject to the condition that lead counsel be a registered practitioner. The representative Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. *See* Paper 11, 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”)).

In these proceedings, lead counsel for PersonalWeb, Mr. Joseph A. Rhoa, is a registered practitioner. Mot. 2; Paper 9, 17. PersonalWeb asserts that there is good cause for us to recognize Mr. Hadley *pro hac vice* in these

² For purposes of expediency, we refer to the papers and exhibits filed in Case IPR2019-01089. Similar papers and exhibits were filed in Cases IPR2019-01091, IPR2019-01092, IPR2019-01093, and IPR2019-01111.

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proceedings. Mot. 2–5. PersonalWeb’s assertions in this regard are supported by a Declaration of Mr. Hadley. Ex. 2001.

Mr. Hadley declares that he is a member in good standing of the State Bar of California and that he is admitted to practice before several district and appellate courts. Ex. 2001 ¶¶ 2, 4. Mr. Hadley also declares that he is familiar with the subject matter at issue in these proceedings because he is lead counsel for PersonalWeb in two pending district court cases involving the patents at issue. *Id.* ¶ 6. Moreover, the facts alleged in Mr. Hadley’s Declaration comply with all the requirements set forth in our representative Order authorizing motions for *pro hac vice* admission. *See* Ex. 2001 ¶¶ 3, 5, 7–12; Mot. 2–5.

On this record, we determine that Mr. Hadley has sufficient legal and technical qualifications to represent PersonalWeb in these proceedings. Accordingly, PersonalWeb has established that there is good cause for the *pro hac vice* admission of Mr. Hadley in these proceedings.

III. ORDER

Accordingly, it is

ORDERED that PersonalWeb’s Motions for Admission *Pro Hac Vice* of Mr. Lawrence M. Hadley are *granted*;

FURTHER ORDERED that Mr. Hadley is authorized to represent PersonalWeb as back-up counsel in these proceedings only;

FURTHER ORDERED that PersonalWeb is to continue to have a registered practitioner represent it as lead counsel in these proceedings;

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FURTHER ORDERED that Mr. Hadley shall comply with the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), 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. Hadley shall be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), as well as the Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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