

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO., LTD.,
Petitioner

v.

SOLAS OLED LTD.,
Patent Owner.

IPR2020-00140
Patent 6,072,450

Before SALLY C. MEDLEY, JESSICA C. KAISER, and JULIA HEANEY,
Administrative Patent Judges.

HEANEY, *Administrative Patent Judge.*

DECISION

Granting Petitioner's Unopposed Motions for Admission *Pro Hac Vice* of
Jared R. Frisch, Robert T. Haslam, and Jeffrey H. Lerner
37 C.F.R. § 42.10

On August 20, 2020, Samsung Display Co., Ltd. (“Petitioner”) filed motions for admission *pro hac vice* of Jared R. Frisch, Robert T. Haslam, and Jeffrey H. Lerner in the above-captioned proceeding (collectively “Motions”). Papers 13–15. In each of the Motions, Petitioner states that “[c]ounsel for Patent Owner has informed the undersigned that Patent Owner does not oppose this motion.” Paper 13, 1; Paper 14, 1; Paper 15, 1. The 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 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 4, 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”)) (“Notice”).

In its Motions, Petitioner states that there is good cause for the Board to recognize Jared R. Frisch, Robert T. Haslam, and Jeffrey H. Lerner *pro hac vice* during these proceedings because each individual “is an experienced litigation attorney,” “has substantial experience with patent litigation,” and “has familiarity with the subject matter and patent at issue in this proceeding.” Paper 13, 1–2; Paper 14, 1–2; Paper 15, 1–2. The Motions are supported by Declarations of Mr. Frisch (Ex. 1013), Mr. Haslam (Ex. 1015), and Mr. Lerner (Ex. 1014) that attest to the facts above and comply with the requirements set forth in the Notice. *See, e.g.*, Ex. 1013 ¶¶ 1–11; Ex. 1014 ¶¶ 1–11; Ex. 1015 ¶¶ 1–11.

Upon consideration, Petitioner has demonstrated that Mr. Frisch, Mr. Haslam, and Mr. Lerner have sufficient legal and technical qualifications to represent Petitioner in these proceedings, and has established good cause for admitting Mr. Frisch, Mr. Haslam, and Mr. Lerner. *See, e.g.*, Ex. 1013 ¶¶ 9–10; Ex. 1014 ¶¶ 9–10; Ex. 1015 ¶¶ 9–10; Paper 13, 1–3; Paper 14, 1–3; Paper 15, 1–3.

Accordingly, it is

ORDERED that Petitioner’s Motions for admission *pro hac vice* of Jared R. Frisch, Robert T. Haslam, and Jeffrey H. Lerner for this proceeding are *granted*; Mr. Frisch, Mr. Haslam, and Mr. Lerner are authorized to act as back-up counsel in the instant proceedings only;

FURTHER ORDERED that Petitioner must file, within ten (10) business days, updated mandatory notices in this proceeding, identifying Mr. Frisch, Mr. Haslam, and Mr. Lerner 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 in this proceeding for Mr. Frisch, Mr. Haslam, and Mr. Lerner in accordance with 37 C.F.R. § 42.10(b);

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

FURTHER ORDERED that Mr. Frisch, Mr. Haslam, and Mr. Lerner shall comply with the Consolidated Trial Practice Guide, 84 Fed. Reg. 64,280 (Nov. 21, 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. Frisch, Mr. Haslam, and Mr. Lerner are subject to the Office’s disciplinary jurisdiction under 37 C.F.R.

IPR2020-00140
Patent 6,072,450

§ 11.19(a) and the USPTO Rules of Professional Conduct set forth in
37 C.F.R. §§ 11.101 et seq.

IPR2020-00140
Patent 6,072,450

FOR PETITIONER:

David Garr
Grant Johnson
Peter Chen
COVINGTON & BURLING LLP
dgarr@cov.com
gjohnson@cov.com
pchen@cov.com

FOR PATENT OWNER:

Neil Rubin
Kent Shum
Reza Mirzaie
RUSS AUGUST & KABAT
nrubin@raklaw.com
kshum@raklaw.com
rmirzaie@raklaw.com