

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

NEODRON LTD.,
Patent Owner.

IPR2020-00267
Patent 8,432,173 B2

Before MIRIAM L. QUINN, PATRICK M. BOUCHER, and
CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

OGDEN, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motion for *Pro Hac Vice*
Admission of Christian W. Conkle
37 C.F.R. § 42.10

Patent Owner filed a Motion for *pro hac vice* admission of Christian W. Conkle. Paper 14 (“Motion” or “Mot.”). Patent Owner also filed a Declaration of Mr. Conkle in support of the Motion. Paper 15.¹ Patent Owner represents that Petitioner does not oppose the Motion. Mot. 1, 2.

Pursuant to 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 Motion states that there is good cause for the Board to recognize Mr. Conkle as counsel *pro hac vice* because Mr. Conkle is an experienced litigation attorney and because Mr. Conkle has established familiarity with the subject matter at issue in the instant proceeding. Mot. 1–2; *see also* Paper 15 ¶¶ 8, 9.

Based on the facts stated in the Motion and averred in the Declaration, we conclude that Mr. Conkle has sufficient qualifications to represent Patent Owner in the instant proceeding. The Motion is hereby granted, and Mr. Conkle will be permitted to appear *pro hac vice* in the instant proceeding as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed a power of attorney for Mr. Conkle. Paper 17, 2. Additionally, Patent Owner’s mandatory notices have been updated to include Mr. Conkle. Paper 16, 3.

¹ Patent Owner filed the Declaration as a Paper (Paper 15) in the Patent Trial and Appeal Board End to End (PTAB E2E) system. The parties are reminded that affidavits and declarations must be filed as exhibits, so they may be referenced individually by exhibit number. *See* 37 C.F.R. § 42.63.

ORDER

Accordingly, it is

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Christian W. Conkle is *granted*;

FURTHER ORDERED that Mr. Conkle is authorized to represent Patent Owner only as back-up counsel in the instant proceeding;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel in the instant proceeding;

FURTHER ORDERED that Mr. Conkle shall comply with the Office Patent Trial Practice Guide² (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. Conkle shall be 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.*

² Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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