

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASTEK DANMARK A/S,
Petitioner,

v.

COOLIT SYSTEMS, INC.,
Patent Owner.

IPR2020-00747 (Patent 9,057,567 B2)
IPR2020-00825 (Patent 10,274,266 B2)

Before FRANCES L. IPPOLITO, SCOTT C. MOORE, and
BRENT M. DOUGAL, *Administrative Patent Judges*.¹

MOORE, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motions
for *Pro Hac Vice* Admission of Reuben Chen
37 C.F.R. § 42.10

¹ This Order addresses issues that are identical in each of the above-captioned proceedings. We therefore exercise our discretion to issue one Order to be filed in each proceeding. The proceedings have not been consolidated, and the Parties are not authorized to use this style heading in any subsequent papers.

IPR2020-00747 (Patent 9,057,567 B2)
IPR2020-00825 (Patent 10,274,266 B2)

Coolit Systems, Inc. (“Patent Owner”) filed a motion for *pro hac vice* admission of Reuben Chen in each of the above-captioned proceedings. Paper 12 (“Mot.”, “Motion”).² Petitioner has not opposed the Motions. 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 3, 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 each Motion, Patent Owner states that there is good cause for the Board to recognize Reuben Chen *pro hac vice* during these proceedings because he “is an experienced litigation attorney and has been involved in numerous complex litigations in federal courts,” and has reviewed the patent and petition at issue in the proceeding at issue. Mot. 2. Each Motion is supported by a biography of Mr. Chen (Ex. 2026) and a declaration by Mr. Chen (Ex. 2025, “Decl.”) that attests to the statements above and complies with the requirements set forth in the Notice. *See* Decl. ¶¶ 1–9.

Upon consideration, Patent Owner has demonstrated that Mr. Chen has sufficient legal and technical qualifications and familiarity with the

² We cite to Papers and Exhibits in IPR2020-00747. Similar items were filed in IPR2020-00825.

IPR2020-00747 (Patent 9,057,567 B2)
IPR2020-00825 (Patent 10,274,266 B2)

subject matter at issue, and that there is a need for Patent Owner to have counsel with his experience. *See, e.g.*, Decl. ¶¶ 1, 8; Ex. 2026; Mot. 2. Patent Owner therefore has established good cause for admitting Mr. Chen *pro hac vice* in this proceeding.

Accordingly, it is

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Reuben Chen in the above-captioned proceedings are *granted*; Mr. Chen is authorized to act as back-up counsel in these proceedings only;

FURTHER ORDERED that Patent Owner must file, within ten (10) business days, an updated mandatory notice in each of the above-captioned proceedings, identifying Mr. Chen as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

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

FURTHER ORDERED that Mr. Chen 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. Chen 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.

IPR2020-00747 (Patent 9,057,567 B2)
IPR2020-00825 (Patent 10,274,266 B2)

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