

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner,

v.

FG SRC LLC,
Patent Owner.

IPR2020-01449
Patent 7,149,867 B2

Before KALYAN K. DESHPANDE, GREGG I. ANDERSON, and
KARA L. SZPONDOWSKI, *Administrative Patent Judges*.

SZPONDOWSKI, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motion for Admission
Pro Hac Vice of Henning Schmidt
37 C.F.R. § 42.10

On April 27, 2021, Patent Owner filed a Motion for Admission *Pro Hac Vice* of Henning Schmidt. Paper 19 (“Motion”). Patent Owner supports its motion with the Declaration of Mr. Schmidt. Paper 20 (“Declaration”).¹ Petitioner has not filed an opposition to the Motion. For the reasons provided below, Patent Owner’s Motion is *granted*.

Upon review of the record before us, we determine that the requirements of 37 C.F.R. § 42.10 have been met, and that Patent Owner has established that there is good cause to admit Mr. Schmidt *pro hac vice* in this proceeding. *See* 37 C.F.R. § 42.10(c); *see also* *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Order Authorizing Motion for *Pro Hac Vice* Admission, Paper 7 (October 15, 2003) (setting forth requirements for *pro hac vice* admission). Patent Owner must submit a Power of Attorney for Mr. Schmidt in accordance with 37 C.F.R. § 42.10(b), and must update its Mandatory Notices as required by 37 C.F.R. § 42.8(b)(3).

Accordingly, it is:

ORDERED that Patent Owner’s Motion for *pro hac vice* admission of Mr. Henning Schmidt is *granted*;

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

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

FURTHER ORDERED that Mr. Schmidt is to comply with the Consolidated Trial Practice Guide² (84 Fed. Reg. 64,280 (Nov. 21, 2019)),

¹ Patent Owner filed the Declaration as a Paper. Patent Owner is reminded that affidavits and declarations must be filed as exhibits so that they may be referenced individually by exhibit number. *See* 37 C.F.R. § 42.63.

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

and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;³

FURTHER ORDERED that Mr. Schmidt 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.*;

FURTHER ORDERED that, within ten (10) business days of the date of this Order, Patent Owner must submit a Power of Attorney for Mr. Schmidt in this proceeding in accordance with 37 C.F.R. § 42.10(b); and

FURTHER ORDERED that Patent Owner shall file an updated Mandatory Notice in this proceeding in accordance with 37 C.F.R. § 42.8(b)(3), identifying Mr. Schmidt as back-up counsel.

³ In the Declaration, Mr. Schmidt indicates compliance with the Patent Office Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of the C.F.R., as opposed to Part 42 of 37 C.F.R. Paper 20 ¶ 9. We deem this harmless error.

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