

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUALCOMM INC.,
Petitioner

v.

MONTEREY RESEARCH, LLC,
Patent Owner.

IPR2020-01492
Patent 6,651,134 B1

Before KRISTEN L. DROESCH, JOHN F. HORVATH, and
JASON W. MELVIN, *Administrative Patent Judges*.

MELVIN, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Unopposed Motion
for *Pro Hac Vice* Admission of Michael A. Wueste
37 C.F.R. § 42.10

On May 13, 2021, Monterey Research, LLC (“Patent Owner”) filed a motion for *pro hac vice* admission of Michael A. Wueste in the above-identified proceeding. Paper 13 (“Motion” or “Mot.”).¹ Patent Owner states that “Petitioner has indicated that they do not oppose this motion.” Mot. 1. The Motion is *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 5, 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 Motion, Patent Owner states that there is good cause for the Board to recognize Michael A. Wueste *pro hac vice* during this proceeding because he “is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding,” and because “Mr. Wueste also demonstrates that he has a detailed working knowledge of the relevant subject matter through his participation in a litigation involving the ’134 Patent.” Mot. 2.

The Motion is supported by a declaration of Mr. Wueste (Ex. 2005, “Decl.”) that attests to Patent Owner’s statements and complies with the requirements set forth in the Notice. *See* Decl. ¶¶ 1–11.

¹ We cite to Papers and Exhibits (“Ex.”) in IPR2020-01492.

Upon consideration, Patent Owner has demonstrated that Mr. Wueste has sufficient legal and technical qualifications and familiarity with the subject matter at issue, and that there is a need for Patent Owner to have counsel with his experience. *See, e.g.*, Decl. ¶¶ 1–2, 9–10; Mot. 1–3. Patent Owner therefore has established good cause for admitting Mr. Wueste *pro hac vice* in this proceeding.

Accordingly, it is

ORDERED that Patent Owner’s Motion for *pro hac vice* admission of Michael A. Wueste for this proceeding is *granted*; Mr. Wueste is authorized to act as back-up counsel in this proceeding only;

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. Wueste is to 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. Wueste 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.*

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