

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,
v.

TELEFONAKTIEBOLAGET LM ERICSSON,
Patent Owner.

Case IPR2021-00509
U.S. Patent 9,509,440

**PATENT OWNER'S MOTION FOR WITHDRAWAL
AND SUBSTITUTION OF COUNSEL**

I. 37 C.F.R. §42.10 – STATEMENT OF RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10, Patent Owner Telefonaktiebolaget LM Ericsson (“Ericsson”) respectfully requests that the Board authorize withdrawal of J. Andrew Lowes and Clint Wilkins of Haynes and Boone, LLP as its counsel.

II. STATEMENT SHOWING GOOD CAUSE FOR THE BOARD TO AUTHORIZE WITHDRAWAL AND SUBSTITUTION OF COUNSEL

On April 14, 2021, the Board notified Petitioner via email that it was authorized to file the instant motion.

For good cause, Patent Owner requests that the current designated lead and back-up counsel, J. Andrew Lowes and Clint Wilkins, Haynes and Boone, LLP, be deemed withdrawn from the present proceeding. Attorneys from McKool Smith, P.C. have already filed an Updated Mandatory Notice Under 37 C.F.R. § 42.8(a)(3). All Haynes and Boone, LLP counsel will be withdrawn from the present proceeding and McKool Smith, P.C. will be substituted as counsel to represent Patent Owner.

Counsel meets the requirements of 37 C.F.R. § 42.10(c) and are registered practitioners. Counsel has conferred with current counsel and reasonable steps have been taken to “avoid foreseeable prejudice to the rights of the client, including giving due notice to his or her client, [and] allowing time for employment of another practitioner.” *See* 37 C.F.R. § 10.40(a). Further, Patent Owner believes that granting this motion will not hinder the economy, the integrity

of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. *See* 35 U.S.C. § 316(b). Patent Owner verifies that no extensions of time will be sought based on substitution of counsel.

III. CONCLUSION

Patent Owner respectfully requests that the Board grant its motion to authorize withdrawal of counsel and permit substitution of counsel.

Date: April 15, 2021

Respectfully submitted,

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Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e)(4), that service was made on counsel for Petitioner and counsel being substituted for Patent Owner as detailed below:

Date of Service April 15, 2021

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Document Served **Patent Owner's Motion for Withdrawal and Substitution of Counsel**

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