

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 IPR2021-00537
U.S. Patent 8,798,658

**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 withdraw J. Andrew Lowes and Clint Wilkins of Haynes and Boone, LLP as its counsel and permit substitution of new counsel.

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

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the current designated lead and back-up counsel, J. Andrew Lowes and Clint Wilkins, Haynes and Boone, LLP, be deemed withdrawn from the present proceeding. To the extent not already filed, an Updated Mandatory Notice Under 37 C.F.R. § 42.8(a)(3) and Power of Attorney will be filed promptly to reflect new counsel from Duane Morris LLP. All Haynes and Boone, LLP counsel will be withdrawn from the present proceeding and counsel from Duane Morris LLP will be substituted as counsel to represent Patent Owner.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 for withdrawal of counsel and permit substitution of new counsel.

Date: April 22, 2021

Respectfully submitted,

By: /J. Andrew Lowes/
J. Andrew Lowes, Reg. No. 40,706
Clint Wilkins, Reg. No. 62,448
HAYNES AND BOONE, LLP
2323 Victory Ave., Suite 700
Dallas, TX 75219
P: 972-680-7557
F: 214-200-0853
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 22, 2021

Manner of Service Electronic Service: todd.friedman@kirkland.com;
james.marina@kirkland.com; jon.carter@kirkland.com;
bao.nguyen@kirkland.com; kevin.bendix@kirkland.com;
Samsung_Ericsson_IPR@kirkland.com

PDMcpherson@duanemorris.com;
PCMuldoon@duanemorris.com;
DJEnglish@duanemorris.com; PHBelnap@duanemorris.com

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

Persons served Todd M. Friedman, P.C. Patrick D. McPherson
James E. Marina Patrick C. Muldoon
Jon R. Carter D. Joseph English
Bao Nguyen Paul H. Belnap
Kevin Bendix DUANE MORRIS LLP
KIRKLAND & ELLIS LLP

Respectfully submitted,

/J. Andrew Lowes/
J. Andrew Lowes, Reg. No. 40,706
Clint Wilkins, Reg. No. 62,448
Counsel for Patent Owner