

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CONFIGIT A/S,  
Petitioner,

v.

VERSATA DEVELOPMENT GROUP, INC.,  
Patent Owner.

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IPR2021-01055  
Patent 6,836,766 B1

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Before SALLY C. MEDLEY, KEVIN F. TURNER, and  
DEBRA K. STEPHENS, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Unopposed Motion for  
*Pro Hac Vice* Admission of Dr. Jeffrey Schneidman  
*37 C.F.R. § 42.10*

Petitioner filed an Unopposed Motion for *Pro Hac Vice* Admission of Dr. Jeffrey Schneidman. Paper 7 (“Motion” or “Mot.”). Petitioner also filed a Declaration of Dr. Schneidman in support of the Motion. Ex. 1052 (“Declaration”). Petitioner represents that Patent Owner does not oppose the Motion. Mot. 1. For the reasons discussed below, Petitioner’s 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, subject to the condition that lead counsel be a registered practitioner. The representative Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. 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”)).

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude that Dr. Schneidman has sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Dr. Schneidman has demonstrated sufficient familiarity with the subject matter of this proceeding, and that Petitioner’s intent to be represented by counsel with litigation experience is warranted. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Dr. Schneidman. Dr. Schneidman will be permitted to serve as back-up counsel only. See 37 C.F.R. § 42.10(c).

We note that Petitioner submitted a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) for Dr. Schneidman. Paper 1. Petitioner’s

Mandatory Notices also identify Dr. Schneidman. Paper 2, 75.

Accordingly, it is

ORDERED that Petitioner's Unopposed Motion for *Pro Hac Vice* Admission of Dr. Jeffrey Schneidman (Paper 7) is granted;

FURTHER ORDERED that Dr. Schneidman is authorized to represent Petitioner only as back-up counsel in this proceeding;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel in this proceeding;

FURTHER ORDERED that Dr. Schneidman is to comply with the Consolidated Trial Practice Guide<sup>1</sup> (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<sup>2</sup>; and

FURTHER ORDERED that Dr. Schneidman is to 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.*

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<sup>1</sup> Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

<sup>2</sup> Dr. Schneidman indicates that he "will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations 32." Declaration ¶ 6. The Office Patent Trial Practice Guide and the Board's Rules are set forth in part 42 of 37 C.F.R. We deem this as harmless error.

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