

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC.,
Petitioner,

v.

VERVAIN, LLC,
Patent Owner.

IPR2021-01547 (Patent 8,891,298 B2)
IPR2021-01548 (Patent 9,196,385 B2)
IPR2021-01549 (Patent 9,997,240 B2)
IPR2021-01550 (Patent 10,950,300 B2)¹

Before SALLY C. MEDLEY, STACEY G. WHITE, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motion for *Pro Hac Vice* Admission of
Jared Bobrow
37 C.F.R. § 42.10

¹ This Order addresses the same issue for the above-identified proceedings. Therefore, we exercise our discretion to issue one order to be filed in each proceeding. The parties, however, are not authorized to use this style heading in any subsequent papers.

IPR2021-01547 (Patent 8,891,298 B2)
IPR2021-01548 (Patent 9,196,385 B2)
IPR2021-01549 (Patent 9,997,240 B2)
IPR2021-01550 (Patent 10,950,300 B2)

On January 12, 2022, Petitioner filed motions for *pro hac vice* admission of Jared Bobrow in each of the above-listed proceedings. Paper 8 (“Motion”).² Petitioner also filed a supporting declaration from Mr. Bobrow in each proceeding. Ex. 1056 (“Declaration”). Patent Owner has not opposed the Motion.

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 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”).

Lead counsel for Petitioner, Jeremy Jason Lang, a registered practitioner, filed each Motion. Motion, 1.³ In the Motion, Petitioner states there is good cause for the Board to recognize Mr. Bobrow *pro hac vice* during these proceedings because Mr. Bobrow “is an experienced litigation attorney” and “has familiarity with the subject matter at issue in this proceeding” and the patents at issue. Motion, 2; *see also*, Ex. 1056 ¶¶ 8, 9.

² Our citations to Papers and Exhibits will be to those filed in IPR2021-01547. Similar Papers and Exhibits were filed in IPR2021-01548, IPR2021-01549, and IPR2021-01550.

³ The Motion does not contain page numbers. We identify page 1 as the first page of the body of the Motion.

IPR2021-01547 (Patent 8,891,298 B2)
IPR2021-01548 (Patent 9,196,385 B2)
IPR2021-01549 (Patent 9,997,240 B2)
IPR2021-01550 (Patent 10,950,300 B2)

Mr. Bobrow's Declaration also complies with the requirements for *pro hac vice* admission. Ex. 1056 ¶¶ 1–10; see *Unified Patents*, slip op. at 3–4.

Having reviewed the Motion and supporting Declaration, we find that good cause exists for granting admission *pro hac vice* to Mr. Bobrow in each of the above-listed proceedings.

In consideration of the foregoing, it is hereby:

ORDERED that the Motion is *granted*, and Jared Bobrow is authorized to represent Petitioner only as back-up counsel in the above-identified proceedings;

FURTHER ORDERED that a registered practitioner shall continue to represent Petitioner as lead counsel in the above-identified proceedings;

FURTHER ORDERED that Mr. Bobrow shall comply with the Office Patent Trial Practice Guide⁴ (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;⁵ and

FURTHER ORDERED that Mr. Bobrow shall be subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

⁴ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

⁵ The Motion states that “Mr. Bobrow has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of the C.F.R.” Motion, 2. The Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials are set forth in Part 42 of *Title 37*, Code of Federal Regulations. We treat the omission of “Title 37” as harmless error.

IPR2021-01547 (Patent 8,891,298 B2)
IPR2021-01548 (Patent 9,196,385 B2)
IPR2021-01549 (Patent 9,997,240 B2)
IPR2021-01550 (Patent 10,950,300 B2)

FOR PETITIONER:

Jeremy Jason Lang
Parth Sagdeo
Christopher Childers
Orrick, Herrington & Sutcliffe LLP
jlang@orrick.com
psagdeo@orrick.com
cchilders@orrick.com

FOR PATENT OWNER:

Alan Whitehurst
Kathy H. Li
James E. Quigley
Christopher P. McNett
MCKOOL SMITH, P.C.
awhitehurst@mckoolsmith.com
kli@mckoolsmith.com
jqigley@mckoolsmith.com
cmcnett@mckoolsmith.com