

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

SCRAMOGE TECHNOLOGY LTD.,
Patent Owner.

IPR2022-00118 (Patent 10,804,740 B2)
IPR2022-00120 (Patent 9,997,962 B2)

Before JAMESON LEE, KARL D. EASTHOM, BRIAN J. McNAMARA,
and AARON W. MOORE, *Administrative Patent Judges*.¹

McNAMARA, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motions for
Pro Hac Vice Admission of John Petrsoric
37 C.F.R. § 42.10

¹ This Order addresses issues that are identical in each of the above captioned proceedings. We therefore exercise our discretion to issue one Order to be filed in each proceeding. This is not an order from an expanded panel of the Board, the proceedings have not been consolidated, and the Parties must obtain authorization to use this heading style .

IPR2022-00118 (Patent 10,804,740 B2)

IPR2022-00120 (Patent 9,997,962 B2)

Scramoge Technology Ltd. (“Patent Owner”) filed a Motion for *pro hac vice* admission of John Petrsoric in each of the above-captioned proceedings. Paper 18 (“Mot.,” “Motion”).² Patent Owner states that it “has conferred with Petitioner, and Petitioner has stated that it does not oppose this motion.” Mot. 2. The Motions are *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 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”)) (“Notice”).

In each Motion, Patent Owner states that there is good cause for the Board to recognize John Petrsoric *pro hac vice* during these proceedings because he “is an experienced patent litigator,” “is counsel in the related district court litigation,” “has extensive experience representing Patent Owner in patent litigations,” and “is intimately familiar with the substantive and technical issues involved in this proceeding.” Mot. 2–3.

The Motion is supported by a Declaration of Mr. Petrsoric (Ex. 2022, “Decl.”) that attests to the statements above and complies with the requirements set forth in the Notice. *See* Decl. ¶¶ 1–10.

² We cite to Papers and Exhibits in IPR2022-00118. Patent Owner filed similar items in IPR2022-00120.

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Patent Owner has demonstrated that Mr. Petrsoric 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., id.* ¶¶ 1, 6, 9; Mot. 2–3. Patent Owner therefore has established good cause for admitting Mr. Petrsoric *pro hac vice* in each of the above-captioned proceedings.

Accordingly, it is

ORDERED that Patent Owner’s Motion for *pro hac vice* admission of John Petrsoric in each of the above captioned proceedings is *granted*; Mr. Petrsoric is authorized to act as back-up counsel in these proceedings only;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for these proceedings;

FURTHER ORDERED that Mr. Petrsoric shall 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. Petrsoric 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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