

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EPIC GAMES, INC.,
Petitioner,

v.

INGENIOSHARE, LLC,
Patent Owner.

IPR2022-00202 (Patent 10,142,810 B2)
IPR2022-00291 (Patent 10,708,727 B2)
IPR2022-00294 and IPR2022-00295 (Patent 10,492,038 B2)¹

Before THU A. DANG, PATRICK M. BOUCHER, and
STEVEN M. AMUNDSON, *Administrative Patent Judges*.

AMUNDSON, *Administrative Patent Judge*.

ORDER
Conditionally Granting Petitioner's Motions
for *Pro Hac Vice* Admission of Lindsey Y. Shi
37 C.F.R. § 42.10

¹ This Order addresses the same issues in each proceeding. We exercise our discretion to issue one Order to be filed in each proceeding. The proceedings have not been consolidated, and the parties are not permitted to use this caption.

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On December 9, 2022, Petitioner filed a motion for *pro hac vice* admission of Lindsey Y. Shi in each of the above-identified proceedings (collectively “Motions”). Paper 17.² Petitioner also a filed a declaration from Mr. Shi in support of each motion (collectively “Declarations”). Ex. 1043.³ Patent Owner does not oppose the Motions. *See* Ex. 1043 ¶ 5.

Under 37 C.F.R. § 42.10(c), the Board 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 Board’s notice authorizing motions for *pro hac vice* admission requires 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 at 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (“Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Shi has sufficient legal and technical qualifications to represent Petitioner in these proceedings, that Mr. Shi has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and that Mr. Shi meets all other requirements for admission *pro hac vice*. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Shi.

² We cite the paper filed in IPR2022-00202. Petitioner filed a similar paper in each of the above-listed proceedings.

³ We cite the exhibit filed in IPR2022-00202. Petitioner filed a similar exhibit in each of the above-listed proceedings.

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Upon review of the record, however, we note that Powers of Attorney for Mr. Shi in accordance with 37 C.F.R. § 42.10(b) have not been submitted. Hence, as set forth below, Petitioner's Motions are *conditionally granted*, and are to be effective after Petitioner submits Powers of Attorney for Mr. Shi in accordance with 37 C.F.R. § 42.10(b).

Additionally, Petitioner has not filed updated mandatory notices in these proceedings identifying Mr. Shi as back-up counsel. Thus, Petitioner must file updated mandatory notices identifying Mr. Shi as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

Accordingly, it is

ORDERED that Petitioner's Motions for *pro hac vice* admission of Lindsey Y. Shi are *conditionally granted*, provided that within seven (7) business days of the date of this order, Petitioner submits Powers of Attorney for Mr. Shi in accordance with 37 C.F.R. § 42.10(b);

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

FURTHER ORDERED that Mr. Shi is authorized to represent Petitioner as back-up counsel only in these proceedings;

FURTHER ORDERED that Petitioner must file updated mandatory notices identifying Mr. Shi as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Mr. Shi is to comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide⁴ (November 2019),

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

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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. Shi shall be subject to the Office's
disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules
of Professional Conduct under 37 C.F.R. §§ 11.101 *et seq.*

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