

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

SCRAMOGE TECHNOLOGY LTD.,
Patent Owner.

IPR2022-00350
Patent 9,806,565 B2

Before JAMESON LEE, KARL D. EASTHOM, and
MICHELLE N. WORMMEESTER, *Administrative Patent Judges*.

WORMMEESTER, *Administrative Patent Judge*.

ORDER
*Conditionally Granting Petitioner's Motion for Admission
Pro Hac Vice of Jamie Raju
37 C.F.R. § 42.10*

Apple Inc. (“Petitioner”) filed a motion requesting admission *pro hac vice* of Jamie Raju in this proceeding. Paper 35 (“Motion”). Petitioner also filed a Declaration from Ms. Raju in support of the Motion. Ex. 1028 (“Declaration”). Petitioner states that the Motion is unopposed. Paper 35, 4.

Petitioner has not submitted Power of Attorney for Ms. Raju in accordance with 37 C.F.R. § 42.10(b). In view thereof, and for the reasons provided below, Petitioner’s Motion is *conditionally granted*, and is to be effective after Petitioner files the aforementioned Power of Attorney.

Pursuant to 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. In its notice authorizing a motion for admission *pro hac vice*, 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, Paper 7 (PTAB Oct. 15, 2013) (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 Ms. Raju has sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Ms. Raju has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Ms. Raju meets all other requirements for admission *pro hac vice*. *See* Ex. 1028 ¶¶ 1–8. We further conclude that Petitioner’s interest in being represented in this proceeding by counsel with litigation experience weighs in favor of granting the Motion. Accordingly, Petitioner has established

good cause for admission *pro hac vice* of Ms. Raju. Ms. Raju will be permitted to appear *pro hac vice* as back-up counsel only. See 37 C.F.R. § 42.10(c).

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motion (Paper 35) for admission *pro hac vice* of Jamie Raju in this proceeding is *conditionally granted*, provided that within three (3) business days of the date of this order, Petitioner submits a power of attorney for Ms. Raju in accordance with 37 C.F.R. § 42.10(b) in this proceeding;

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

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

FURTHER ORDERED that Ms. Raju shall comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide¹ (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 Ms. Raju shall 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.*; and

FURTHER ORDERED that Petitioner shall file an updated mandatory notice in this proceeding, within three (3) business days of the date of this order, according to 37 C.F.R. § 42.8(a)–(b), providing updated information regarding back-up counsel.

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

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