

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CPC PATENT TECHNOLOGIES PTY, LTD.,
Patent Owner.

Case IPR2022-00601 (Patent 9,269,208 B2)
Case IPR2022-00602 (Patent 9,665,705 B2)¹

Before SCOTT A. DANIELS, BARRY L. GROSSMAN, and
AMBER L. HAGY, *Administrative Patent Judges*.

GROSSMAN, *Administrative Patent Judge*.

DECISION

Granting Patent Owner's Motions for *Pro Hac Vice*
Admission of George C. Summerfield and Jonah Heemstra
37 C.F.R. § 42.10

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

IPR2022-00601 (Patent 9,269,208 B2)

IPR2022-00602 (Patent 9,665,705 B2)

Patent Owner filed Motions for *pro hac vice* admission of George C. Summerfield (Paper 14² (“Summerfield Motion”)) and Jonah Heemstra (Paper 15 (“Heemstra Motion”)) as well as supporting declarations from Mr. Summerfield (Exhibit 2006 (“Summerfield Declaration”)) and from Mr. Heemstra (Exhibit 2008 (“Heemstra Declaration”)) in the above-listed proceedings. Patent Owner states that Petitioner does not oppose the motions. Summerfield Motion 3; Heemstra Motion 3. For the following reasons, 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 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”).

Having reviewed the Motions and supporting Declarations, good cause exists for granting admission *pro hac vice* to Mr. Summerfield and Mr. Heemstra.

Accordingly, it is:

ORDERED that the Motions are *granted*, and Mr. Summerfield and Mr. Heemstra are authorized to represent Patent Owner as back-up counsel in the above-listed proceedings;

² All citations are to IPR2022-00601 unless otherwise noted. Similar papers and exhibits were filed in IPR2022-00602.

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FURTHER ORDERED that a registered practitioner will continue to represent Patent Owner as lead counsel in the above-identified proceedings;

FURTHER ORDERED that Mr. Summerfield and Mr. Heemstra each shall comply with the Office Patent Trial Practice Guide, as updated by the July 2019 Update, 84 Federal Register 33,925 (July 16, 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 that each of Mr. Summerfield and Mr. Heemstra are subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

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