

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., and APPLE INC.,
Petitioner,

v.

SMART MOBILE TECHNOLOGIES LLC,
Patent Owner.

IPR2022-01004
Patent 9,614,943 B1

Before HYUN J. JUNG, NATHAN A. ENGELS, and
MONICA S. ULLAGADDI, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motion for *Pro Hac Vice* Admission of
Steven J. Udick, Philip J. Graves, and Greer N. Shaw
37 C.F.R. § 42.10

On December 2, 2022, Patent Owner filed Motions requesting *Pro Hac Vice* Admissions of Steven J. Udick, Philip J. Graves, and Greer N. Shaw. Papers 9–11 (collectively, “Motions”). Patent Owner submitted Declarations from Mr. Udick, Mr. Graves, and Mr. Shaw in support of the Motions. Exs. 2001–2003. Patent Owner represents that Petitioner does not oppose the Motions. Paper 9, 4; Paper 10, 4; Paper 11, 4.

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, Paper 7 (PTAB Oct. 15, 2013) (setting forth the requirements for admission *pro hac vice*).

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Udick, Mr. Graves, and Mr. Shaw have sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Mr. Udick, Mr. Graves, and Mr. Shaw have demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, that Mr. Udick, Mr. Graves, and Mr. Shaw meet all other requirements for admission *pro hac vice*. *See* Ex. 2001 ¶¶ 1–10; Ex. 2002 ¶¶ 1–10; Ex. 2003 ¶¶ 1–10. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Udick, Mr. Graves, and Mr. Shaw. Mr. Udick, Mr. Graves, and Mr. Shaw will be permitted to appear *pro hac vice* as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

Powers of Attorney have been submitted for Mr. Udick, Mr. Graves, and Mr. Shaw in accordance with 37 C.F.R. § 42.10(b). Paper 5. Mandatory

Notices have also been submitted, identifying Mr. Udick, Mr. Graves, and Mr. Shaw as back-up counsel, as required by 37 C.F.R. § 42.8(b)(3).

Paper 4.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motions (Paper 9, Paper 10, Paper 11) for *pro hac vice* admission of Steven J. Udick, Philip J. Graves, and Greer N. Shaw are *granted*;

FURTHER ORDERED that Patent Owner must continue to have a registered practitioner represent it as lead counsel in the above-identified proceedings, and that Mr. Udick, Mr. Graves, and Mr. Shaw are authorized to act only as back-up counsel;

FURTHER ORDERED that Mr. Udick, Mr. Graves, and Mr. Shaw 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 Mr. Udick, Mr. Graves, and Mr. Shaw are 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. §§ 11.101–11.901.

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

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For PETITIONER:

W. Karl Renner
Jeremy J. Monaldo
Hyun Jin In
Sangki Park
FISH & RICHARDSON P.C.
axf-ptab@fr.com
jjm@fr.com
in@fr.com
spark@fr.com

Andrew S. Ehmke
Clint S. Wilkins
HAYNES AND BOONE, LLP
andy.ehmke.ipr@haynesboone.com
clint.wilkins.ipr@haynesboone.com

For PATENT OWNER:

Rex Hwang
Todd Martin
SKIERMONT DERBY LLP
rhwang@skiermontderby.com
tmartin@skiermontderby.com