

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

SMART MOBILE TECHNOLOGIES LLC,  
Patent Owner.

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IPR2022-00979 (Patent 9,049,110 B2)  
IPR2022-00980 (Patent 8,761,739 B1)  
IPR2022-00981 (Patent 8,472,936 B1)  
IPR2022-00982 (Patent 8,472,937 B1)  
IPR2022-01005 (Patent 9,084,291 B1)  
IPR2022-01222 (Patent 8,982,863 B1)  
IPR2022-01223 (Patent 9,319,075 B1)<sup>1</sup>

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Before HYUN J. JUNG, NATHAN A. ENGELS,  
MONICA S. ULLAGADDI, and PAUL J. KORNICZKY, *Administrative  
Patent Judges.*<sup>2</sup>

PER CURIAM.

ORDER

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

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<sup>1</sup> This Order addresses issues that are the same in each of these proceedings. We issue one Order to be entered in each proceeding. The parties are not permitted to use this style of caption.

<sup>2</sup> This is not an expanded panel.

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On December 2, 2022, Patent Owner filed Motions requesting *Pro Hac Vice* Admission of Philip J. Graves and Greer N. Shaw. Paper 8; Paper 9.<sup>3</sup> Patent Owner submitted Declarations from Mr. Graves and Mr. Shaw in support of the Motions. Exs. 2016, 2017. Patent Owner attests that Petitioner does not oppose the Motions. Paper 8, 1; Paper 9, 1.

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. Graves and Mr. Shaw have sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Mr. Graves and Mr. Shaw have demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, that Mr. Graves and Mr. Shaw meet all other requirements for admission *pro hac vice*. *See* Ex. 2016, ¶¶ 1–10; Ex. 2017, ¶¶ 1–10.

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<sup>3</sup> For expediency, we cite to papers in IPR2022-00979. Similar papers were filed in each of IPR2022-00980, IPR2022-00981, IPR2022-00982, IPR2022-01005, IPR2022-01222, and IPR2022-01223.

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Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Graves and Mr. Shaw. 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. Graves and Mr. Shaw in accordance with 37 C.F.R § 42.10(b). Paper 6. Mandatory Notices have also been submitted, identifying Mr. Graves and Mr. Shaw as back-up counsel, as required by 37 C.F.R. § 42.8(b)(3). Paper 5. Patent Owner does not have to submit another Mandatory Notice or Power of Attorney for Mr. Graves and Mr. Shaw.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motions (Paper 8, Paper 9) for *pro hac vice* admission of 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. Graves and Mr. Shaw are authorized to act only as back-up counsel;

FURTHER ORDERED that Mr. Graves and Mr. Shaw comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide<sup>4</sup> (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

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

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FURTHER ORDERED that 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.

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