

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.

IPR2022-01002 (Patent 9,191,083 B1)
IPR2022-01004 (Patent 9,614,943 B1)
IPR2022-01005 (Patent 9,084,291 B1)
IPR2022-01248 (Patent 8,842,653 B1)
IPR2022-01249 (Patent 9,019,946 B1)¹

Before HYUN J. JUNG, NATHAN A. ENGELS, GARTH D. BAER,
MONICA S. ULLAGADDI, AARON W. MOORE, and PAUL J.
KORNICZKY, *Administrative Patent Judges*.²

ENGELS, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for *Pro Hac Vice* Admission of
Amir A. Kazi
37 C.F.R. § 42.10

¹ 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.

² This is not an expanded panel.

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On February 1, 2023, Petitioner filed Motions for *pro hac vice* admission of Amir A. Kazi. Paper 16.³ Petitioner submitted Declarations from Mr. Kazi in support of the Motions. Ex. 1044. Petitioner states that Patent Owner does not oppose the Motions. *See* Paper 16, 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. Kazi has sufficient legal and technical qualifications to represent Petitioner in these proceedings, that Mr. Kazi has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and that Mr. Kazi meets all other requirements for admission *pro hac vice*.⁴ *See* Ex. 1044 ¶¶ 1–10. Accordingly, Petitioner

³ For expediency, we cite to papers in IPR2022-01002. Similar papers were filed in each of IPR2022-01004, IPR2022-01005, IPR2022-01248, and IPR2022-01249.

⁴ We note that in the Declarations, Mr. Kazi declares that he has read and will comply with Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in “part 42 of the Code of Federal Regulations” without specifying Title 37, e.g. “Part 42 of 37 C.F.R.” Ex. 1044 ¶ 5. We deem this discrepancy a typographical error.

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

We note that Powers of Attorney has not been submitted for Mr. Kazi in accordance with 37 C.F.R § 42.10(b). We also note that Mandatory Notices have also not been submitted, identifying Mr. Kazi as back-up counsel, as required by 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Amir A. Kazi are *granted*;

FURTHER ORDERED that within ten (10) business days of the date of this Order, Petitioner shall file a Power of Attorney including Mr. Kazi in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that within ten (10) business days of the date of this Order, Petitioner shall file updated Mandatory Notices in accordance with 37 C.F.R. § 42.8(b)(3) listing Mr. Kazi as back-up counsel;

FURTHER ORDERED that Petitioner must continue to have a registered practitioner represent it as lead counsel in the above-identified proceedings, and that Mr. Kazi is authorized to act only as back-up counsel;

FURTHER ORDERED that Mr. Kazi shall comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide⁵ (84 Fed. Reg.

⁵ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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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. Kazi is 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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