

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

METAPLATFORMS, INC.,
Petitioner,

v.

THALES VISONIX, INC.,
Patent Owner.

IPR2022-01294 (Patent 8,224,024 B2)
IPR2022-01298 and IPR2022-01301 (Patent 7,301,648 B2)
IPR2022-01302 and IPR2022-01303 (Patent 6,757,068 B2)
IPR2022-01304 and IPR2022-01305 (Patent 6,922,632 B2)
IPR2022-01308 (Patent 7,725,253 B2)¹

Before WILLIAM V. SAINDON, HYUN J. JUNG,
BART A. GERSTENBLITH, JASON W. MELVIN, and
ARTHUR M. PESLAK, *Administrative Patent Judges*.²

SAINDON, *Administrative Patent Judge*.

ORDER

Granting Gentex's Motions for *Pro Hac Vice* Admission of
Adam D. Harber and Melissa B. Collins
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 April 21, 2023, Patent Owner’s licensee and real party-in-interest Gentex Corporation (“Gentex”) filed Motions for *pro hac vice* admission of Adam D. Harber and Melissa B. Collins. Papers 19, 20.³ Gentex submitted Declarations from Mr. Harber and Ms. Collins supporting the Motions. Exs. 2008, 2009. Gentex indicates that the Motions are unopposed. See Papers 19, 20.

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*, 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. Harber and Ms. Collins have sufficient legal and technical qualifications to represent Gentex in these proceedings, that Mr. Harber and Ms. Collins have demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and that Mr. Harber and Ms. Collins meet all other requirements for admission *pro hac vice*. See Ex. 2008 ¶¶ 2–11; Ex. 2009 ¶¶ 2–11. Accordingly,

³ For expediency, we cite to papers in IPR2022-01294. Similar papers were filed in each of IPR2022-01298, IPR2022-01301, IPR2022-01302, IPR2022-01303, IPR2022-01304, IPR2022-01305, and IPR2022-01308.

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Gentex has established good cause for *pro hac vice* admission of Mr. Harber and Ms. Collins. Mr. Harber and Ms. Collins 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 Gentex's Motions for *pro hac vice* admission of Adam D. Harber and Melissa B. Collins are *granted*;

FURTHER ORDERED that Mr. Harber and Ms. Collins are authorized to act only as back-up counsel;

FURTHER ORDERED that Mr. Harber and Ms. Collins shall comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide⁴ (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. Harber and Ms. Collins 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. §§ 11.101–11.901.⁵

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

⁵ Mr. Harber and Ms. Collins state that they “will be subject to the USPTO Code of Professional Responsibility,” rather than the USPTO Rules of Professional Conduct. Ex. 2008 ¶ 8; Ex. 2009 ¶ 8. We deem this to be harmless error.

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For PETITIONER:

W. Todd Baker
Yimeng Dou
Ellisen Shelton Turner
Akshay S. Deoras
KIRKLAND & ELLIS LLP
todd.baker@kirkland.com
yimeng.dou@kirkland.com
ellisen.turner@kirkland.com
akshay.deoras@kirkland.com

For PATENT OWNER:

Meredith Martin Addy
Robert P. Hart
Gregory B. Gulliver
Brandon C. Helms
ADDYHART P.C.
meredith@addyhart.com
robert@addyhart.com
gbgulliver@addyhart.com
bhelms@addyhart.com

D. Shayon Ghosh
Arthur J. Argall III
Melissa B. Collins
Adam D. Harber
WILLIAMS & CONNOLLY LLP
sghosh@wc.com
aargall@wc.com
mcollins@wc.com
aharber@wc.com