

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SDI TECHNOLOGIES, INC.,
Petitioner,
v.
BOSE CORPORATION,
Patent Owner.

IPR2014-00343
Patent 8,401,682 B2
IPR2014-00346
Patent 8,364,295 B2

Before KARL D. EASTHOM, MICHAEL J. FITZPATRICK, and
DAVID C. McKONE *Administrative Patent Judges*.

EASTHOM, *Administrative Patent Judge*.

DECISION¹

Patent Owner's Motion for *Pro Hac Vice* Admission of Jolynn M. Lussier
37 C.F.R. § 42.10

¹ This Decision will be filed in each case.

Patent Owner filed a Motion, with a supporting declaration, for *pro hac vice* admission of Jolynn M. Lussier in each case. Paper 23 (“Motion”), Ex. 2123 (Lussier’s declaration).² Petitioner does not oppose. For the reasons provided below, Patent Owner’s Motion in each case is *granted*.

As set forth in 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner. For example, where the lead counsel is a registered practitioner, a non-registered practitioner may be permitted to appear *pro hac vice* “upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” 37 C.F.R. § 42.10(c). In authorizing motions for *pro hac vice* admission, the Board also requires a statement of facts showing there is good cause to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear in this proceeding.

In each Motion, Patent Owner shows good cause supported by Ms. Lussier’s declaration attesting to sufficient facts regarding the requirements for *pro hac vice* admission. *See* Paper 23, Ex. 2123. The record shows that Ms. Lussier has sufficient legal and technical qualifications to represent Patent Owner in this proceeding and that good cause exists for Ms. Lussier’s admission. Ms. Lussier will be permitted to

² The Paper and Exhibit numbers are the same in each case.

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appear *pro hac vice* in this proceeding as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

For the foregoing reasons, it is

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Jolynn M. Lussier in each proceeding is *granted*;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for each proceeding;

FURTHER ORDERED that Ms. Lussier is to comply with the Office Patent Trial Practice Guide 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 Ms. Lussier 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 *et seq.*

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PETITIONER:

Matthew Lowrie
mlowrie-PTAB@foley.com

Aaron Moore
amoore-PTAB@foley.com

PATENT OWNER:

Dorothy Whelan
whelan@fr.com

W. Karl Renner
axf@fr.com

Mark Hebert
Hebert@fr.com