

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TWITTER, INC.,  
Petitioner,

v.

YOUTOO TECHNOLOGIES, LLC,  
Patent Owner.

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Case IPR2017-00829  
Case IPR2017-00830  
Patent 9,083,997 B2<sup>1</sup>

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Before SALLY C. MEDLEY, CHARLES J. BOUDREAU, and  
JESSICA C. KAISER, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

ORDER  
Patent Owner's Motions to Withdraw Counsel  
*37 C.F.R. § 42.10*

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<sup>1</sup> This Order will be entered in each case. The parties are not authorized to use this caption style.

On November 8, 2017, we conditionally granted Patent Owner's motions to withdraw Scott McKeown as lead counsel and Stephen L. Levine and his firm Carrington, Coleman, Sloman and Blumenthal, L.L.P. as back-up counsel (Papers 12, 13 in IPR2017-00829; Papers 14, 15 in IPR2017-00830), contingent on Patent Owner filing a power of attorney for its new lead counsel Joseph F. DePumpo of Shore Chan DePumpo LLP within 5 days of the date of our order. Patent Owner has not filed a new power of attorney, and the time for doing so in our order has passed. In addition, on November 15, 2017, Mr. DePumpo contacted the Board and stated that he has "not been retained by Patent Owner to represent it in these IPRs and do[es] not currently represent and ha[s] no intention of representing Patent Owner in the IPRs." Ex. 3001.

Because Patent Owner has not filed a new power of attorney as directed in our November 8, 2017 Order, we now deny the motions to withdraw. We note that Patent Owner filed an updated Mandatory Notice listing Mr. DePumpo as lead counsel in each proceeding and represented in one of its motions to withdraw in each proceeding that it was appointing Mr. DePumpo as lead counsel in these matters. Papers 13, 14 in IPR2017-00829; Papers 15, 16 in IPR2017-00830. We remind Patent Owner and its counsel of the duty of candor in filings with the Board (37 C.F.R. §§ 11.18, 42.11), and that any future requests for extensions of time by Patent Owner in this proceeding are unlikely to be granted absent a showing of good cause (*see* 37 C.F.R. § 42.5).

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For the foregoing reasons, it is

ORDERED that Patent Owner's Motions to Withdraw Counsel are denied.

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