

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ILLUMINA, INC.,
Petitioner,

v.

THE TRUSTEES OF COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK,
Patent Owner.

Case IPR2018-00291 (Patent 9,718,852 B2);
Case IPR2018-00318 (Patent 9,719,139 B2);
Case IPR2018-00322 (Patent 9,708,358 B2);
Case IPR2018-00385 (Patent 9,725,480 B2)¹

Before JENNIFER MEYER CHAGNON, JAMES A. WORTH, and
MICHELLE N. ANKENBRAND, *Administrative Patent Judges*.

WORTH, *Administrative Patent Judge*.

ORDER

Patent Owner's Motions for *Pro Hac Vice* Admission of
Zachary L. Garrett and Robert S. Schwartz
37 C.F.R. § 42.10(c)

¹ This Order applies to all four proceedings. Paper and exhibit numbers refer to Case IPR2018-00291. The proceedings have not been consolidated, and the parties are not authorized to use a consolidated caption unless a paper contains a footnote indicating that the identical paper has been filed in each proceeding.

IPR2018-00291 (Patent 9,718,852 B2);
IPR2018-00318 (Patent 9,719,139 B2);
IPR2018-00322 (Patent 9,708,358 B2);
IPR2018-00385 (Patent 9,725,480 B2)

Patent Owner filed motions for *pro hac vice* admission of Zachary L. Garrett (Paper 14) and Robert S. Schwartz (Paper 6) (collectively “Motions”). Patent Owner also filed declarations from Mr. Garrett (Ex. 2050) and Mr. Schwartz (Ex. 2001) in support of the Motions. Petitioner did not file an opposition to the Motions.

Having reviewed the Motions and the declarations, we conclude that Mr. Garrett and Mr. Schwartz each have sufficient qualifications to represent Patent Owner in these proceedings and that Patent Owner has shown good cause for Mr. Garrett’s and Mr. Schwartz’s *pro hac vice* admission. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (setting forth the requirements for *pro hac vice* admission) (Paper 7). Mr. Garrett and Mr. Schwartz will each be permitted to appear *pro hac vice* in these proceedings as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner’s motions for *pro hac vice* admission of Zachary L. Garrett and Robert S. Schwartz are granted in each proceeding identified above, and Mr. Garrett and Mr. Schwartz are each authorized to represent Patent Owner only as back-up counsel in these proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Garrett and Mr. Schwartz are to each comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

IPR2018-00291 (Patent 9,718,852 B2);
IPR2018-00318 (Patent 9,719,139 B2);
IPR2018-00322 (Patent 9,708,358 B2);
IPR2018-00385 (Patent 9,725,480 B2)

FURTHER ORDERED that Mr. Garrett and Mr. Schwartz are each subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO's Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

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