

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

10X GENOMICS, INC.,
Petitioner,

v.

BIO-RAD LABORATORIES, INC.,
Patent Owner.

IPR2020-00086, IPR2020-00087 (Patent 9,562,837 B2)
IPR2020-00088, IPR2020-00089 (Patent 9,896,722 B2)¹

Before CHRISTOPHER M. KAISER, KIMBERLY McGRAW, and
ELIZABETH M. ROESEL, *Administrative Patent Judges*.

ROESEL, *Administrative Patent Judge*.

DECISION

Granting Petitioner's Unopposed Motion for *Pro Hac Vice* Admission of
Robert Gerrity
37 C.F.R. § 42.10

¹ This Order applies to each of the listed cases. We exercise our discretion to issue one Order to be docketed in each case. The parties, however, are not authorized to use this caption for any subsequent papers.

DISCUSSION

Petitioner filed a motion for *pro hac vice* admission of Mr. Robert Gerrity. Paper 13.² The motion was accompanied by a declaration from Mr. Gerrity. Ex. 1069. The motion states Patent Owner does not oppose this motion. Paper 13, 1.

Having reviewed the motion and declaration, we conclude that Mr. Gerrity has sufficient qualifications to represent Petitioner in this proceeding and that Petitioner has shown good cause for *pro hac vice* admission of Mr. Gerrity. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (Order Authorizing Motion for *Pro Hac Vice* Admission) (setting forth the requirements for *pro hac vice* admission). Mr. Gerrity will be permitted to appear *pro hac vice* in this proceeding as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

ORDER

It is:

ORDERED that Petitioner's unopposed motion for *pro hac vice* admission of Robert Gerrity (Paper 13) is *granted*, and Mr. Gerrity is authorized to represent Petitioner only as back-up counsel in this proceeding;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner as lead counsel in this proceeding;

² Unless indicated otherwise, we refer to the papers and exhibits filed in IPR2020-00086. Similar papers and exhibits were filed in IPR2020-00087, IPR2020-00088, and IPR2020-00089.

IPR2020-00086, IPR2020-00087 (9,562,837 B2)
IPR2020-00088, IPR2020-00089 (9,896,722 B2)

FURTHER ORDERED that Mr. Gerrity is to comply with the Patent Trial and Appeal Board’s Consolidated Trial Practice Guide (November 2019), *available at* <https://www.uspto.gov/TrialPracticeGuideConsolidated>, and the Board’s Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;³ and

FURTHER ORDERED that Mr. Gerrity is 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.

³ The Declaration states that “I have read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations.” Ex. 1069 ¶ 5. The Board’s Rules of Practice for Trials are set forth in Part 42 of *Title 37*, Code of Federal Regulations, and we assume that Title 37 is what is being referred to in the Declaration.

IPR2020-00086, IPR2020-00087 (9,562,837 B2)

IPR2020-00088, IPR2020-00089 (9,896,722 B2)

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