

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTEL CORPORATION,  
Petitioner,  
v.

PACT XPP SCHWEIZ AG,  
Patent Owner.

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IPR2020-00539 Patent 9,552,047 B2  
IPR2020-00541 Patent 9,075,605 B2<sup>1</sup>

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Before SALLY C. MEDLEY, SCOTT C. MOORE, and  
CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

OGDEN, *Administrative Patent Judge*.

ORDER  
Granting Patent Owner's Motion for *Pro Hac Vice* Admission of  
Mr. Mark Tung  
*37 C.F.R. § 42.10*

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<sup>1</sup> The parties are not authorized to use a multi-case caption.

## DISCUSSION

On November 16, 2020, PACT XPP Schweiz AG (“Patent Owner”) filed a motion for *pro hac vice* admission of Mr. Mark Tung in the above-captioned proceeding. Paper 17.<sup>2</sup> The motion is accompanied by a declaration from Mr. Tung. Ex. 2026.<sup>3</sup> Patent Owner indicates that Petitioner Intel Corporation does not oppose the motion. Paper 17, 2.

Having reviewed the motions and declarations in each proceeding, we conclude that Mr. Tung has sufficient qualifications to represent Patent Owner in each proceeding, and that Patent Owner has shown good cause for *pro hac vice* admission of Mr. Tung. *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. Tung will be permitted to appear *pro hac vice* in this proceeding only as back-up counsel. *See* 37 C.F.R. § 42.10(c).

## ORDER

It is

ORDERED that Patent Owner’s motion for *pro hac vice* admission of Mr. Mark Tung, in this proceeding is *granted*, and Mr. Tung is authorized to represent Patent Owner only as back-up counsel in this proceeding;

FURTHER ORDERED that Patent Owner must continue to have a registered practitioner as lead counsel in this proceeding;

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<sup>2</sup> In IPR2020-00541, the Motion is Paper 15.

<sup>3</sup> In IPR2020-00541, the Declaration is Exhibit 2023.

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FURTHER ORDERED that Mr. Tung must 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;

FURTHER ORDERED that Mr. Tung 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;

FURTHER ORDERED that Patent Owner must submit, within ten business days of the date of this order, a Power of Attorney for Mr. Tung in accordance with 37 C.F.R. § 42.10(b) in this proceeding; and

FURTHER ORDERED that Patent Owner must file an updated mandatory notice in this proceeding, according to 37 C.F.R. § 42.8(b)(3), providing updated information regarding back-up counsel.

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