

**UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ONE WORLD TECHNOLOGIES, INC.,  
D/B/A TECHTRONIC INDUSTRIES POWER EQUIPMENT  
Petitioner,

v.

CHERVON (HK) LIMITED,  
Patent Owner.

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Case IPR2020-00886  
U.S. Patent No. 9,826,686

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**CHERVON (HK) LIMITED'S MOTION  
FOR *PRO HAC VICE* ADMISSION OF  
ERIK M. BOKAR UNDER 37 C.F.R. § 42.10(c)**

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## **I. RELIEF REQUESTED**

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Chervon (HK) Limited, (“Chervon”), by and through its attorneys, respectfully requests that the Board admit Erik M. Bokar *pro hac vice* in this proceeding.

## **II. GOVERNING LAW, RULES, AND PRECEDENT**

Section 42.10(c) states as follows:

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 and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

Further, the Board requires that a motion for *pro hac vice* admission be filed in accordance with the “ORDER-AUTHORIZING MOTION FOR PRO HAC VICE ADMISSION – 37 C.F.R. § 42.10” in *Unified Patents, Inc. v. Parallel Iron, LLC*, Case No. IPR2013-00639 (“Representative Order”). The Representative Order states that the motion must “[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding,” and “[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following:”

- i. Membership in good standing of the Bar of at least one State or the District of Columbia;

- ii. No suspensions or disbarments from practice before any court or administrative body;
- iii. No application for admission to practice before any court or administrative body ever denied;
- iv. No sanctions or contempt citations imposed by any court or administrative body;
- v. The individual seeking to appear has 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 C.F.R;
- vi. The individual will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.*<sup>1</sup> and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);
- vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and
- viii. Familiarity with the subject matter at issue in the

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<sup>1</sup> The USPTO Code of Professional Responsibility in 37 C.F.R. § 10.20 *et seq.* was replaced by the USPTO Rules of Professional Conduct in 37 C.F.R. § 11.101 *et seq.*, effective May 3, 2013

proceeding.

### III. STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of Erik M. Bokar submitted herewith, Chervon submits that a showing of good cause has been made and respectfully requests the *pro hac vice* admission of Erik M. Bokar in this proceeding:

1. Chervon's lead counsel, James J. Lukas, Jr., is a registered practitioner (Reg. No. 59,114).
2. Chervon's backup counsel, Gary Jarosik, Reg. No. 35,906, Keith Jarosik, Reg. No. 47,683, Benjamin P. Gilford, Reg. No. 72,072, and Callie J. Sand, Reg. No. 73,254, are registered practitioners.
3. Mr. Bokar is an Associate at the law firm of Greenberg Traurig, LLP ("Greenberg"). Mr. Bokar joined Greenberg as an Associate in October 2019. (Declaration of Erik M. Bokar in Support of Chervon's Motion for *pro hac vice* Admission of Erik M. Bokar under 37 C.F.R. § 42.10(c).)
4. Mr. Bokar is a litigation attorney with specific experience in patent law and patent law litigation. Mr. Bokar has represented clients in numerous patent infringement actions across the country. (*Id.*)
5. Mr. Bokar is a member in good standing of the Illinois State Bar. (*Id.*)

6. Mr. Bokar has never been suspended or disbarred from practice before any court or administrative body. (*Id.*)
7. No application filed by Mr. Bokar for admission to practice before any court or administrative body has ever been denied. (*Id.*)
8. No sanctions or contempt citations have been imposed against Mr. Bokar by any court or administrative body. (*Id.*)
9. Mr. Bokar has read and agrees to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R. (*Id.*)
10. Mr. Bokar understands that he will be subject to the USPTO Rules of Professional Conduct 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. §11.19(a). (*Id.*)
11. Mr. Bokar has not applied to appear *pro hac vice* in any proceedings before the United States Patent and Trademark Office in the last three (3) years. (*Id.*)
12. Mr. Bokar has an established familiarity with the subject matter at issue in this, and the other related proceeding noted below. Mr. Bokar regularly represents Chervon in patent matters. For example, Mr. Bokar represents Chervon in *Chervon (HK) Limited et al. v. One World Technologies, Inc. et al.*, Case No. 1:19-cv-01293 (D. Del.),

which involves the same patent at issue in this IPR. As a result of Mr. Bokar's representation of Chervon in that matter, Mr. Bokar has acquired substantial understanding of the underlying technological issues at stake in this matter.

**V. GOOD CAUSE EXISTS FOR PRO HAC VICE ADMISSION OF ERIK M. BOKAR**

The facts outlined above in the Statement of Facts, and contained in the Declaration of Erik M. Bokar, establish that there is good cause to admit Mr. Bokar *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Chervon's lead and backup counsel are registered practitioners. Mr. Bokar has specific experience in litigating patent matters and has an established familiarity with the subject matter at issue in this, and the other related proceeding noted in Section III., Paragraph 12, *supra*.

**VI. CONCLUSION**

In light of the foregoing, Chervon respectfully requests that the Board admit Erik M. Bokar *pro hac vice* in this proceeding.

Dated: May 22, 2020

Respectfully submitted,

/James J. Lukas, Jr./

James J. Lukas, Jr.

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*Counsel for Chervon (HK) Limited*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the below date, I caused the forgoing to be served by electronic mail to the following:

<b>Lead Counsel</b>	<b>Back-Up Counsel</b>
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Date: May 22, 2020

/James J. Lukas, Jr./