

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

WARD PARTICIPATIONS B.V.,
Patent Owner.

IPR2022-00113 (Patent 10,992,480 B2)
IPR2022-00114 (Patent 11,063,766 B2)
PGR2022-00007 (Patent 10,992,480 B2)¹

Before THU A. DANG, GEORGIANNA W. BRADEN, and
JAMES J. MAYBERRY, *Administrative Patent Judges*.

BRADEN, *Administrative Patent Judge*.

ORDER

Conditionally Granting Petitioner's Motions for *Pro Hac Vice*
Admission of Ashley A. Bolt
37 C.F.R. § 42.10

¹ These cases have not been joined or consolidated. Rather, this Order addresses issues that are the same in the identified proceedings. We exercise our discretion to issue one Order to be filed in each proceeding. The parties, however, are not authorized to use this style heading in subsequent papers.

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Petitioner filed motions for admission *pro hac vice* of Ashley A. Bolt (Paper 11²) in each of the above-captioned proceedings (collectively, “Motions”). The Motions are supported by Declarations of Ms. Bolt. Ex. 1030 (“Declarations”). Petitioner represents that Patent Owner does not oppose the Motions. Paper 11, 1. For the following reasons, the Motions are *conditionally granted*.

In accordance with 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear in the proceeding. *See Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”).

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Ms. Bolt has sufficient legal and technical qualifications to represent Petitioner in these proceedings, that Ms. Bolt has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and that Ms. Bolt meets all other requirements for admission *pro hac vice*. *See* Ex. 1030 ¶¶ 1–10. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Ms. Bolt.³ Ms.

² Paper and exhibit numbers refer to Proceeding IPR2022-00113. Corresponding papers and exhibits were filed in IPR2022-00114 and PGR2022-00007.

³ We note that in the Declarations, Ms. Bolt declares that she has read and

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Bolt will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

Upon review of the record before us, we note that Petitioner has not filed a Power of Attorney including Ms. Bolt in accordance with 37 C.F.R. § 42.10(b) and has not filed an updated Mandatory Notice identifying Ms. Bolt as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

Accordingly, it is:

ORDERED that the Motions are *conditionally granted* and Ashley A. Bolt is authorized to represent Petitioner as back-up counsel in the above-identified proceedings;

FURTHER ORDERED that a registered practitioner will continue to represent Petitioner as lead counsel in the above-identified proceedings;

FURTHER ORDERED that within ten (10) business days of the date of this Order, Petitioner shall file a Power of Attorney including Ms. Bolt in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that within ten (10) business days of the date of this Order, Petitioner shall file an updated Mandatory Notice in accordance with 37 C.F.R. § 42.8(b)(3) listing Ms. Bolt as back-up counsel;

will comply with Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in "Part 42 of the Code of Federal Regulations." rather than "Part 42 of 37 C.F.R." Ex. 1030 ¶ 5. We deem this discrepancy as harmless error because Ms. Bolt declares that she agrees to be subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et. seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a) in the following paragraph of the Declarations. *Id.* at ¶ 6.

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FURTHER ORDERED that Ms. Bolt shall comply with the USPTO's Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019)),⁴ and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that that Ms. Bolt is subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

⁴ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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