

Filed on behalf of the Respondent

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Paper No. _____
Date Filed: January 18, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PERSEPHONE, GMBH

U.S. Application No. 15/368,221

Petitioner

v.

SIMON TECHNOLOGIES LLC

U.S. Application No. 14/726,075

Respondent

Case DER2017-00004

**RESPONDENT'S UNOPPOSED MOTION (A) TO WITHDRAW AND
REPLACE LEAD COUNSEL AND (B) FOR *PRO HAC VICE* ADMISSION
OF JORDAN STRAUSS UNDER 37 C.F.R. § 42.10(c)**

Respondent Simon Technologies LLC (“Respondent”) respectfully requests that the Board (A) withdraw Mr. David Doyle as counsel in this proceeding and replace Mr. David Doyle with Mr. Neil Ferrari as lead counsel and (B) recognize Ms. Jordan C. Strauss, Esq., as back-up counsel *pro hac vice* during this proceeding.

Petitioner does not oppose this Motion.

REPLACEMENT OF LEAD COUNSEL AND WITHDRAWAL OF MR. DOYLE

Pursuant to 37 C.F.R. § 42.10(e), Respondent respectfully requests that the Board replace Mr. David Doyle with Mr. Neil Ferrari, who is a registered patent attorney (Registration No. 61,484). Mr. Ferrari has reviewed the papers and declarations filed in this proceeding and is familiar with the subject matter at issue in this proceeding. Mr. David Doyle seeks to withdrawal as counsel from this proceeding.

Therefore, Respondent respectfully submits that there is good cause for the Board to withdraw Mr. David Doyle as counsel and to designate Mr. Ferrari as lead counsel for Respondent in this proceeding.

***PRO HAC VICE* ADMISSION UNDER 37 C.F.R. § 42.10(c)**

Respondent’s Motion for *Pro Hac Vice* Admission is being filed in compliance with and pursuant to the standards set forth in the Order—Authorizing Motion for *Pro Hac Vice* Admission in Case No. IPR2013-00639, Paper 7 (“the Order”).

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Ms. Strauss *pro hac vice*. Ms. Strauss is a litigation attorney and has been involved in numerous complex litigations in federal court. Ms. Strauss has reviewed the papers and declarations filed in this proceeding. Ms. Strauss is familiar with the subject matter at issue in this proceeding.

Therefore, Respondent respectfully submits that there is good cause for the Board to recognize Ms. Strauss as counsel *pro hac vice* during this proceeding.

DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Respondent's Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Jordan C. Strauss, Esq. attached hereto as an Exhibit as required by the Order.

RELIEF REQUESTED

For the reasons stated herein, Respondent respectfully requests that the Board (A) withdraw Mr. David Doyle as counsel in this proceeding and replace Mr. David Doyle with Mr. Neil Ferrari as lead counsel and (B) recognize Ms. Jordan C. Strauss, Esq., as back-up counsel *pro hac vice* during this proceeding.

Dated: January 18, 2023

Respectfully submitted,

SIMON TECHNOLOGIES LLC

By: /David M. Doyle/

David M. Doyle

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6(e)(4)

The undersigned hereby certifies that a copy of the foregoing RESPONDENT'S UNOPPOSED MOTION (A) TO WITHDRAW AND REPLACE LEAD COUNSEL AND (B) FOR *PRO HAC VICE* ADMISSION is being served via electronic mail, as previously consented to by Petitioner, on January 18, 2023 as follows:

Anthony H. Handal: handal@handalglobal.com

Dated: January 18, 2023

/David M. Doyle/

David M. Doyle

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