

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PERSEPHONE GmbH,
Petitioner Application 15/368,221,
Petitioner,

v.

ICAPITAL SERVICES LLC,
Respondent Application 14/726,075,
Respondent.

DER2017-00004

Before JAMESON LEE, MICHAEL R. ZECHER, and JUSTIN T. ARBES,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

ORDER

Petitioner Counsel's Renewed Motion to Withdraw and
Motion to Seal

37 C.F.R. §§ 42.10(e), 42.54

On September 29, 2025, counsel for Petitioner filed a Renewed Motion to Withdraw, seeking to have both Michael J. Cornelison and David M. Tener, current counsel of record, withdrawn from this proceeding as counsel for Petitioner. Paper 42. The Renewed Motion was filed as "Parties

and Board” in the Board’s P-TACTS filings system, together with a Motion to Seal. Paper 41.

The Motion to Seal is *denied*, without prejudice to refile, because sealing the entirety of the Renewed Motion to Withdraw is not justified and because the Motion to Seal is not accompanied by a proposed protective order. *See* 37 C.F.R. §§ 42.14, 42.54(a). A Renewed Motion to Seal is authorized, which should reference a proposed protective order which may be the Board’s default protective order, and a public redacted version of the Renewed Motion to Withdraw should be filed. The proposed protective order should be filed separately as an exhibit.

We intend to grant the Renewed Motion to Withdraw. However, as noted in our previous Order dated September 23, 2025 (Paper 40), Petitioner is a corporation, a juristic entity that can only appear through counsel. *See* 37 C.F.R. § 1.31 (2025); *Motorola Mobility LLC v. Michael Arnouse*, IPR2013-00010 (PTAB April 19, 2013) (Decision Granting Renewed Motion to Withdraw). Prior to granting withdrawal of all current counsel of record for Petitioner, we give Petitioner a window of opportunity to secure new counsel, as ordered below.

Failure of Petitioner to obtain new counsel within the period provided below may result in an Order to Show Cause as to why adverse judgment should not be entered against Petitioner in this proceeding.

It is

ORDERED that the Motion to Seal (Paper 41) is *denied* without prejudice. Petitioner is authorized to file a Renewed Motion to Seal together with filing of a redacted version of the Renewed Motion to Withdraw;

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FURTHER ORDERED that Petitioner should file a proposed Protective Order, which may be the Board's Default Protective Order, separately as an exhibit and that any Renewed Motion to Seal should reference this proposed protective order (including indication of whether Respondent opposes the proposed protective order and the Renewed Motion to Seal); and

FURTHER ORDERED that Petitioner shall appoint new counsel within two weeks of the date of entry of this Order. Once again, Petitioner is placed on notice that the Board may decline to accept any filings which are not signed by counsel.

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FOR PETITIONER:

Michael Cornelison

David M. Tener

CAESAR RIVISE, PC

mcornelison@crbcp.com

dmtener@crbcp.com

FOR RESPONDENT:

Neil G. Ferrari

Jordan C. Strauss

MUNCK WILSON MANDALA, LLP

nferrari@munckwilson.com

jstrauss@munckwilson.com