

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC. and HULU, LLC,
Petitioner,
v.

DIVX, LLC,
Patent Owner.

IPR2020-00558
Patent 10,225,588 B2

Before KEVIN F. TURNER, BART A. GERSTENBLITH, and
IFTIKHAR AHMED, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

DECISION
Granting Patent Owner's Motion for *Pro Hac Vice* Admission of
Nathan Nobu Lowenstein
37 C.F.R. § 42.10

DISCUSSION

Patent Owner filed a motion for *pro hac vice* admission of Mr. Nathan Lowenstein in the above-captioned proceeding. Paper 25. The motion is accompanied by a declaration from Mr. Lowenstein. Ex. 2024. The motion states that “Patent Owner has met and conferred with Petitioners, and Petitioners do not oppose this motion.” Paper 25, 1.

Having reviewed the motion and declaration, we conclude that Mr. Lowenstein has sufficient qualifications to represent Patent Owner in this proceeding, and that Patent Owner has shown good cause for *pro hac vice* admission of Mr. Lowenstein. *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. Lowenstein will be permitted to appear *pro hac vice* 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. Nathan Nobu Lowenstein in this proceeding is *granted*, and Mr. Lowenstein is authorized to represent Patent Owner only as back-up counsel;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel;

FURTHER ORDERED that Mr. Lowenstein is to 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

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Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Mr. Lowenstein 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.

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