

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DK CROWN HOLDINGS INC.,
Petitioner,

v.

DIOGENES LIMITED,
Patent Owner.

IPR2023-00262 (Patent 9,117,341 B2)
IPR2023-00267 (Patent 10,997,822 B2)¹

Before WILLIAM V. SAINDON, HYUN J. JUNG, ROBERT L. KINDER,
and SEAN P. O'HANLON, *Administrative Patent Judges*.

PER CURIAM.

ORDER
Granting Patent Owner's Unopposed Motions to
Withdraw and Substitute Counsel
37 C.F.R. § 42.10

¹ We issue one Order to be entered in each proceeding. The combined caption is for administrative convenience only and does not indicate a joined case or an expanded panel.

With authorization from the Board provided in an email dated August 31, 2023, Patent Owner Diogenes Limited filed Motions to Withdraw Counsel requesting authorization to withdraw back-up counsel Matthew Middleton and Steven Kellner. Paper 12 (“Mot.”).² Patent Owner indicates that Petitioner does not oppose the Motions. Mot. 2.

Patent Owner filed updated Mandatory Notices and Powers of Attorney listing Robert A. Esposito (Reg. No. 65,071) as back-up counsel. Papers 13, 14; *see* 37 C.F.R. § 42.10(a) (“If a party is represented by counsel, the party must designate a lead counsel and at least one back-up counsel”).

The Motions are *granted*.

It is, therefore,

ORDERED that Patent Owner’s Motions to withdraw Matthew Middleton and Steven Kellner as back-up counsel in the above-listed proceedings are *granted*; and

FURTHER ORDERED that Robert A. Esposito is substituted as back-up counsel.

² All citations are to IPR2023-00262. Corresponding items were filed in IPR2023-00267.

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