

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ROBERT BOSCH LLC, and
MERCEDES-BENZ USA, LLC,
Petitioner,

v.

WESTPORT FUEL SYSTEMS CANADA INC.,
Patent Owner

Inter Partes Review No. IPR2023-00293
Patent No. 6,575,138

**PATENT OWNER'S UNOPPOSED
MOTION FOR WITHDRAWAL AND
SUBSTITUTION OF COUNSEL**

Pursuant to 37 C.F.R. § 42.10, and the Board’s email transmitted on February 14, 2024, authorizing the filing of this motion, Patent Owner Westport Fuel Systems Canada Inc. (“Patent Owner” or “Westport”) respectfully requests that the Board authorize the withdrawal of Derek Forinash, of Porter Hedges LLP, as its Lead Counsel, and the substitution of David Higer as Lead Counsel, and Phillip Philbin and Jamie McDole as Backup Counsel, all of Winstead PC. Miranda Jones—formerly of Porter Hedges LLP and now of Winstead PC—will continue to represent the Patent Owner as Backup Counsel.

I. Statement Showing Good Cause

For good cause, Patent Owner requests that the current designated Lead Counsel, Derek Forinash, be deemed withdrawn from the present proceeding, and David Higer be substituted as Lead Counsel. Miranda Jones will continue to serve as back-up counsel. In addition, Phillip Philbin and Jamie McDole will be added as Backup Counsel to represent Patent Owner in this proceeding. Substitute Lead Counsel is a registered practitioner and does not seek any time extensions. Reasonable steps have been taken to “avoid foreseeable prejudice to the rights of the client, including giving due notice to his or her client, [and] allowing time for employment of another practitioner.” 37 C.F.R. § 10.40(a). Further, Patent Owner believes that granting this motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office

to timely complete this proceeding. 35 U.S.C. § 316(b). The Patent Owner has filed an Updated Mandatory Notice and Power of Attorney reflecting Patent Owner's new lead and back-up counsel, which are pending approval.

III. Petitioner Does Not Object to the Substitution

Petitioner has indicated it does not oppose the requested withdrawal and substitution of Lead Counsel and the Backup Counsel for Patent Owner.

IV. Conclusion

Patent Owner respectfully requests that the Board grant its motion to authorize withdrawal of counsel and permit substitution of counsel.

Dated: February 14, 2024

By: /s/ Derek Forinash

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing PATENT OWNER'S UNOPPOSED MOTION FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL was served on the Petitioner's counsel of record by email (to which Petitioner has consented):

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Dated: February 14, 2024

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