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Paper No. 12
Entered: November 14, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZOHO CORPORATION and ZOHO CORPORATION PVT., LTD.,
Petitioner,

v.

MEETRIX IP, LLC,
Patent Owner.

IPR2023-00378 (Patent 9,094,525 B2)
IPR2023-00379 (Patent 9,094,525 B2)[1]

Before BRIAN J. McNAMARA, CHARLES J. BOUDREAU, and KARA L. SZPONDOWSKI, *Administrative Patent Judges.*

SZPONDOWSKI, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motions for *Pro Hac Vice* Admission
of Carolyn Chang and Ryan J. Marton
37 C.F.R. § 42.10(c)

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[1] This Order addresses issues that are the same in the above-identified proceedings. We exercise our discretion to issue one order to be entered in each proceeding. The parties, however, are not authorized to use this style heading in subsequent papers.

Petitioner filed motions in each of the above-identified proceedings, requesting *pro hac vice* admission of Carolyn Chang (Paper 8) and Ryan J. Marton (Paper 9).[2] The motions are supported, respectively, by declarations of Ms. Chang (Ex. 1047) and Mr. Marton (Ex. 1048). Patent Owner has not filed an opposition to Petitioner's motions.

In accordance with 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in the proceeding. *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative "Order – Authorizing Motion for *Pro Hac Vice* Admission").

Based on the facts set forth in the motions, we conclude that Ms. Chang and Mr. Marton have sufficient legal and technical qualifications to represent Petitioner in these proceedings, that Ms. Chang and Mr. Marton have demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, that Ms. Chang and Mr. Marton meet all other requirements for admission *pro hac vice*. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Ms. Chang and Mr. Marton. Ms. Chang and Mr. Marton will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

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[2] For purposes of expediency, we refer to papers and exhibits filed in IPR2023-00378. Petitioner filed similar motions for Ms. Chang (Paper 8) and Mr. Marton (Paper 9) and declarations of Ms. Chang (Ex. 1047) and Mr. Marton (Ex. 1048) in IPR2023-00379.

Upon a review of the record before us, we additionally note that, in accordance with 37 C.F.R. § 42.10(b), a Power of Attorney has been submitted for Ms. Chang and Mr. Marton as Paper 11 in each of IPR2023-00378 and IPR2023-00379.[3]

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's Motions for Admission *Pro Hac Vice* of Carolyn Chang and Ryan J. Marton are *granted*, and Ms. Chang and Mr. Marton are authorized to act only as back-up counsel in the instant proceedings;

FURTHER ORDERED that Petitioner must file updated mandatory notices identifying Ms. Chang and Mr. Marton as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Petitioner shall continue to have a registered practitioner represent it as lead counsel for the instant proceedings;

FURTHER ORDERED that Ms. Chang shall comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide[4] (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;

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[3] Notwithstanding the designation of Ms. Chang and Mr. Marton as "admitted *pro hac vice*" in the Powers of Attorney (Paper 11, 2), we note that neither was yet so admitted at the time the Powers of Attorney were filed.

[4] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

FURTHER ORDERED that Ms. Chang shall be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*;[5]

FURTHER ORDERED that Mr. Marton shall comply with the Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Mr. Marton shall be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*[6]

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[5] Ms. Chang declares she will be "subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.01 *et seq.*," rather than the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq*. Ex. 1047 ¶ 7. We excuse this mistake on this occasion, noting that Ms. Chang will be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*).

[6] Mr. Marton declares he will be "subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.01 *et seq.*," rather than the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq*. Ex. 1048 ¶ 7. We excuse this mistake on this occasion, noting that Mr. Marton will be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*).

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