Trials@uspto.gov
571.272.7822

Paper No. 53
Entered: April 6, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOX, INC. and DROPBOX, INC.,
Petitioner,

v.

TOPIA TECHNOLOGY, INC.,
Patent Owner.

IPR2023-00427 (Patent 9,143,561 B2)
IPR2023-00433 (Patent 10,067,942 B2)

Before THOMAS L. GIANNETTI, NEIL T. POWELL, CHARLES J. BOUDREAU, and JOHN R. KENNY, *Administrative Patent Judges*.[1]

GIANNETTI, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Unopposed Motions for Admission
*Pro Hac Vice* of Reuben Chen and Lowell Mead
*37 C.F.R. § 42.10*

[1] This Order addresses issues that are identical in each of the above-captioned proceedings. We therefore exercise our discretion to issue one Order to be filed in each proceeding. This is not an order from an expanded panel of the Board, the proceedings have not been consolidated, and the Parties are not authorized to use this style heading in any subsequent papers.

Petitioner filed Unopposed Motions for *Pro Hac Vice* Admission of Lowell Mead (Paper 26) and Reuben Chen (Paper 27) in each of the above-captioned proceedings (collectively, "Motions").[2] Petitioner also filed Declarations of Mr. Mead (Ex. 1037) and Mr. Chen (Ex. 1039) in support of the Motions (collectively, "Declarations"). Petitioner represents that Patent Owner does not oppose the Motions. Paper 26, 1; Paper 27, 1. For the reasons provided below, the Motions are *granted*.

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, subject to the condition that lead counsel be a registered practitioner. The representative Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. *See* Paper 6, 2 (citing *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 and the accompanying Declarations, Petitioner has established good cause for *pro hac vice* admission of Mr. Mead and Mr. Chen. Mr. Mead and Mr. Chen will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Petitioner submitted a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) for Mr. Mead and Mr. Chen. *See* Paper 1; Paper 2. In addition, Petitioner's mandatory notices identify Mr. Mead and Mr. Chen as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). *See*

---

[2] For purposes of expediency, we cite to the Motions and Declarations filed in IPR2023-00427, unless otherwise indicated. Petitioner filed similar Motions and Declarations in IPR2023-00433.

Paper 3, 3–4.

Accordingly, it is:

ORDERED that Petitioner's Unopposed Motions for *Pro Hac Vice* Admission of Mr. Mead and Mr. Chen in each of the above-captioned proceedings (IPR2023-00427, Paper 26, Paper 27; IPR2023-00433, Paper 26, Paper 27) are *granted*;

FURTHER ORDERED that Mr. Mead and Mr. Chen are authorized to represent Petitioner only as back-up counsel in the above-captioned proceedings;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel in the above-captioned proceedings;

FURTHER ORDERED that Mr. Mead and Mr. Chen are to comply with the Consolidated Trial Practice Guide[3] (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.; and

FURTHER ORDERED that Mr. Mead and Mr. Chen 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.*

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

PETITIONER:

Heidi Keefe
Samuel Whitt
COOLEY LLP
hkeefe@cooley.com
swhitt@cooley.com

PATENT OWNER:

Raja Saliba
Chidambaram Iyer
Michael Dzwonczyk
L. Roman Rachuba
SUGHRUE MION, PLLC
rsaliba@sughrue.com
ciyer@sughrue.com
mdzwonczyk@sughrue.com
lrachuba@sughrue.com