

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ROOFR INC.,
Petitioner,

v.

PICTOMETRY INTERNATIONAL CORP.,
Patent Owner.

IPR2023-00435 (Patent 10,648,800 B2)
IPR2023-00436 (Patent 9,183,538 B2)¹

Before STACEY G. WHITE, GARTH D. BAER, and RUSSELL E. CASS,
Administrative Patent Judges.

BAER, *Administrative Patent Judge.*

ORDER
Conditionally Granting Petitioner's Motion for *Pro Hac Vice*
Admission of Ron Hagiz
37 C.F.R. § 42.10(c)

Petitioner filed motions for admission *pro hac vice* of Ron Hagiz in the above-identified proceedings. Paper 29 ("Motion").² Petitioner also

¹ This Order applies to each of the identified proceedings. The parties are not authorized to use this style heading for any subsequent papers.

² We cite to Papers and Exhibits filed in IPR2023-00435. Similar Papers and Exhibits were filed in IPR2023-00436.

IPR2023-00435 (Patent 10,648,800 B2)

IPR2023-00436 (Patent 9,183,538 B2)

filed declarations of Mr. Hagiz in support of the motions. Ex. 1013 (“Declaration”). For the reasons discussed below, the motions are *conditionally 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 4, 3 (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 accompanying declarations, we conclude that Mr. Hagiz has sufficient legal and technical qualifications to represent Petitioner in the above-identified proceedings, that Mr. Hagiz has demonstrated sufficient litigation experience and familiarity with the subject matter of the proceedings, and that Mr. Hagiz meets all other requirements for admission *pro hac vice*. Accordingly, Petitioner has established good cause for admission *pro hac vice* of Mr. Hagiz.

Upon review of the record before us, we note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Mr. Hagiz. In view thereof, and for the reasons set forth below, Petitioner’s Motion is *conditionally granted*, to be effective after Petitioner files a Power of Attorney.

IPR2023-00435 (Patent 10,648,800 B2)

IPR2023-00436 (Patent 9,183,538 B2)

Accordingly, it is

ORDERED that Petitioner's Motion for Admission *Pro Hac Vice* of Ron Hagiz in each of the above-identified proceedings is *conditionally granted*, provided that within ten (10) business days of the date of this order, Petitioner must submit a Power of Attorney for Mr. Hagiz in accordance with 37 C.F.R. § 42.10(b);

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

FURTHER ORDERED that Mr. Hagiz is authorized to represent Petitioner only as back-up counsel in the above-identified proceedings;

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

FURTHER ORDERED that Mr. Hagiz is to comply with the Consolidated Trial Practice Guide³ (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. Hagiz 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>.

IPR2023-00435 (Patent 10,648,800 B2)

IPR2023-00436 (Patent 9,183,538 B2)

PETITIONER:

James Glass

Sean Gloth

QUINN EMANUEL URQUHART & SULLIVAN, LLP

jimglass@quinnemanuel.com

seangloth@quinnemanuel.com

PATENT OWNER:

Michael Specht

Jonathan Tuminaro

Richard Bemben

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

mspecht-ptab@sternekessler.com

jtuminar-ptab@sternekessler.com

rbemben-ptab@sternekessler.com