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Paper: 21
Entered: November 29, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VANTAGE SPECIALTY CHEMICALS, INC.,
Petitioner,

v.

CARGILL, INC.,
Patent Owner.

IPR2023-00589
Patent 11,248,245 B2

Before SHERIDAN K. SNEDDEN, TIMOTHY G. MAJORS, and MICHAEL A. VALEK, *Administrative Patent Judges*.

MAJORS, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for
Pro Hac Vice Admission of Dr. Casey M. Kraning
37 C.F.R. § 42.10

On Nov. 14, 2023, Patent Owner filed a motion requesting *pro hac vice* admission of Dr. Casey M. Kraning. Paper 19 ("Motion" or "Mot."). Patent Owner also submitted a Declaration from Dr. Casey M. Kraning in support of the Motion. Ex. 2008 ("Declaration"). Patent Owner attests that Petitioner does not oppose the Motion. Mot. 1.

For the reasons provided below, Patent Owner's Motion is *granted*.

In accordance with 37 C.F.R. § 42.10(c), the Board 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. 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. *See 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 Motion and the accompanying Declaration, we conclude that Dr. Kraning has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and meets all other requirements for admission *pro hac vice*. *See* Ex. 2008. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Dr. Kraning. Dr. Kraning will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed a Power of Attorney including Dr. Kraning in accordance with 37 C.F.R. § 42.10(b). Paper 15.

Patent Owner has filed a Mandatory Notice identifying Dr. Kraning as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 20.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion for *Pro Hac Vice* Admission of Dr. Casey M. Kraning is *granted*;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for this proceeding;

FURTHER ORDERED that Dr. Kraning is authorized to represent Patent Owner as back-up counsel only in this proceeding;

FURTHER ORDERED that Dr. Kraning comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide[1] (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 Dr. Kraning is 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.*

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

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