

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO., LTD, SAMSUNG ELECTRONICS CO., LTD,
and SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

POLARIS POWERLED TECHNOLOGIES, LLC,
Patent Owner.

IPR2023-00771
Patent 7,259,521 B1

Before JON M. JURGOVAN, DANIEL J. GALLIGAN, and
KARA L. SZPONDOWSKI, *Administrative Patent Judges*.

SZPONDOWSKI, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for Admission
Pro Hac Vice of Andrew G. Hamill
37 C.F.R. § 42.10

Patent Owner filed a motion requesting admission *pro hac vice* of Andrew G. Hamill in the instant proceeding. Paper 21 (“Motion” or “Mot.”).¹ Patent Owner also filed a Declaration of Mr. Hamill in support of the Motion. Ex. 2004 (“Declaration”). Patent Owner states that Petitioner does not oppose this Motion. Motion 1. For the reasons provided below, Patent Owner’s Motion is *granted*.

Pursuant to 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 7, 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 Motion and averred in the Declaration, we conclude that Mr. Hamill 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*. Accordingly, Patent Owner has established good cause for admitting

¹ Patent Owner filed a motion requesting admission *pro hac vice* of Mr. Hamill that did not state whether the motion was opposed or not. The Board requested that Patent Owner confer with Petitioner, and if Petitioner did not oppose, to file an unopposed motion. Therefore, the present motion (Paper 21) replaces the previous motion (Paper 18).

Mr. Hamill *pro hac vice*, and the Motion is hereby *granted*. Mr. Hamill will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed an updated Power of Attorney including Mr. Hamill in accordance with 37 C.F.R. § 42.10(b). Paper 19. Patent Owner also filed updated Mandatory Notices identifying Mr. Hamill as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 20.

ORDER

Accordingly, it is

ORDERED that Patent Owner's Motion for admission *pro hac vice* of Andrew G. Hamill in the instant proceeding is *granted*;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel in the instant proceeding;

FURTHER ORDERED that Mr. Hamill is authorized to represent Patent Owner only as back-up counsel in the instant proceeding;

FURTHER ORDERED that Mr. Hamill comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide² (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. Hamill 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.*

² Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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