

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

K/S HIMPP,
Petitioner,

v.

BRAGI GMBH,
Patent Owner.

IPR2023-00901
Patent 10,635,385 B2

Before LARRY J. HUME, STACEY G. WHITE, and
NORMAN H. BEAMER, *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for
Pro Hac Vice Admission of Kaylee Hoffner
37 C.F.R. § 42.10(c)

On June 8, 2023, Patent Owner filed a Motion for admission *pro hac vice* of Kaylee Hoffner. Paper 7 (hereinafter “the original Motion”). We dismissed the original Motion, without prejudice, due to a defect in the accompanying Declaration of Ms. Hoffner (Ex. 2001), and authorized Patent Owner to file a revised Motion. Paper 8.

On August 10, 2023, Patent Owner filed a revised Motion for admission *pro hac vice* of Kaylee Hoffner. Paper 9 (hereinafter “the revised Motion”). Patent Owner also filed a corrected Declaration of Ms. Hoffner. Ex. 2003 (hereinafter “the corrected Declaration”).

Pursuant to 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner. A motion for *pro hac vice* admission requires a statement of facts showing there is good cause to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (Order Authorizing Motion for *Pro Hac Vice* Admission).

Based on the facts set forth in the revised Motion and the accompanying corrected Declaration, we conclude that Ms. Hoffner has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Ms. Hoffner has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Ms. Hoffner meets all other requirements for admission *pro hac vice*. *See* Ex. 2003 ¶¶ 1–8. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Ms. Hoffner.

Accordingly, it is:

ORDERED that Patent Owner's revised Motion (Paper 9) for admission *pro hac vice* of Kaylee Hoffner in the above-identified proceeding is *granted*; Ms. Hoffner is authorized to act only as back-up counsel in this proceeding;

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

FURTHER ORDERED that Ms. Hoffner 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 Ms. Hoffner 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.*

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