

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

RESONANT SYSTEMS, INC.,
Patent Owner.

IPR2023-00992 (Patent 9,369,081 B2)
IPR2023-00993 (Patent 9,941,830 B2)¹

Before JAMES J. MAYBERRY, STEVEN M. AMUNDSON, and
MICHAEL T. CYGAN, Administrative Patent Judges.

PER CURIAM.

DECISION

Granting Patent Owner's Unopposed Motions for *Pro Hac Vice* Admission
of Paul A. Kroeger and Christian W. Conkle
37 C.F.R. § 42.10(c)

¹ This combined caption is for administrative convenience only and does not indicate that IPR2023-00992 and IPR2023-00993 have been consolidated. The parties are not authorized to use this caption without express permission of the Board.

On January 22, 2024, Patent Owner filed Motions for *Pro Hac Vice* Admission of Paul A. Kroeger (Paper 18) and Christian W. Conkle (Paper 19) (collectively, “the Motions”) in each of the above-identified proceedings.² Patent Owner also filed supporting Declarations of Mr. Kroeger (Exhibit 2005) and Mr. Conkle (Exhibit 2006). Patent Owner indicates that the Motions are unopposed. Paper 18, 2; Paper 19, 2.

We grant the Motions.

Under 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 that 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, Paper 7 (PTAB Oct. 15, 2013) (Order Authorizing Motion for *Pro Hac Vice* Admission).

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Kroeger and Mr. Conkle have sufficient legal and technical qualifications to represent Patent Owner in these proceedings, that Mr. Kroeger and Mr. Conkle have demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and that Mr. Kroeger and Mr. Conkle meet all other requirements for admission *pro hac vice*. *See* Ex. 2005 ¶¶ 1–10; Ex. 2006

² For purposes of expediency, we cite to the papers and exhibits filed in IPR2023-00992. Patent Owner filed similar papers and exhibits in IPR2023-00993.

¶¶ 1–10. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Kroeger and Mr. Conkle. Mr. Kroeger and Mr. Conkle will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

Accordingly, it is

ORDERED that Patent Owner’s Motions for *Pro Hac Vice* Admission of Paul A. Kroeger and Christian W. Conkle in these proceedings are *granted*, and Mr. Kroeger and Mr. Conkle are authorized to represent Patent Owner as back-up counsel only in these proceedings;

FURTHER ORDERED that Patent Owner must continue to have a registered practitioner represent it as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Kroeger and Mr. Conkle must comply with the Patent Trial and Appeal Board’s Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019))³ 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. Kroeger and Mr. Conkle are subject to the USPTO’s disciplinary jurisdiction under 37 C.F.R. § 11.19(a) and the USPTO’s Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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