Trials@uspto.gov
Tel: 571-272-7822

Paper: 26
Entered: August 6, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC., META PLATFORMS TECHNOLOGIES, LLC, and TWISTED PIXEL GAMES, LLC
Petitioner,

v.

EIGHT KHZ, LLC,
Patent Owner.

IPR2023-01003 (Patent 9,226,090 B1)
IPR2023-01019 (Patent 10,368,179 B1)
IPR2023-01020 (Patent 10,448,184 B1)
IPR2023-01023 (Patent 10,798,509 B1)[1]

Before JUSTIN T. ARBES, LYNNE H. BROWNE, and SCOTT RAEVSKY, *Administrative Patent Judges*.

RAEVSKY, *Administrative Patent Judge*.

ORDER
Authorizing Withdrawal of Counsel
37 C.F.R. § 42.10

[1] The parties are not authorized to use this combined caption.

Patent Owner filed a Motion to Withdraw Counsel (Paper 32[2]), in which Patent Owner seeks the withdrawal of lead counsel Kevin S. Tuttle and backup counsel Kyle L. Elliott, Brian Strand,[3] and Homayoon Rafatijo from these proceedings. *Id*. at 1.

Counsel may withdraw from an *inter partes* review proceeding only with authorization from the Board. 37 C.F.R. § 42.10(e). Petitioner seeks withdrawal of Kevin S. Tuttle, Kyle L. Elliott, Brian Strand, and Homayoon Rafatijo. Because Patent Owner identifies new lead counsel, Erick Robinson (formerly backup counsel), as well as multiple backup counsel who will remain, and because Patent Owner represents that Petitioner does not object to the withdrawal of Kevin S. Tuttle, Kyle L. Elliott, Brian Strand, and Homayoon Rafatijo, we see no reason to deny the motion. *Id.*

It is, therefore:

ORDERED that Patent Owner's Motion to Withdraw Counsel is granted;

FURTHER ORDERED that in IPR2023-01003, IPR2023-01019, and IPR2023-01020, Kevin S. Tuttle, Kyle L. Elliott, Brian Strand, and Homayoon Rafatijo are considered withdrawn; and

---

[2] For convenience, we cite solely to the paper filed in IPR2023-01019, but the motions filed in the other proceedings are substantively identical.

[3] Patent Owner's motion in IPR2023-01023 does not request withdrawal of Brian Strand. If this is an omission on Patent Owner's part, Patent Owner should email the Board.

FURTHER ORDERED that in IPR2023-1023, Kevin S. Tuttle, Kyle L. Elliott, and Homayoon Rafatijo are considered withdrawn.

IPR2023-01003 (Patent 9,226,090 B1)
IPR2023-01019 (Patent 10,368,179 B1)
IPR2023-01020 (Patent 10,488,184 B1)
IPR2023-01023 (Patent 10,798,509 B1)

For PETITIONER:

Lisa K. Nguyen
David M. Tennant
Grace I. Wang
David A. Hubbard
Alan M. Billharz
ALLEN & OVERY LLP
lisa.nguyen@allenovery.com
david.tennant@allenovery.com
grace.wang@allenovery.com
david.hubbard@allenovery.com
alan.billharz@allenovery.com

For PATENT OWNER:

Kevin S. Tuttle
Erick S. Robinson
Patrick M. Dunn
Kyle L. Elliott
Homayoon Rafatijo
SPENCER FANE LLP
ktuttle@spencerfane.com
erobinson@spencerfane.com
patdunn64@gmail.com
kelliott@spencerfane.com
hrafatijo@spencerfane.com