

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UV ENGINEERING SOLUTIONS LLC,
Petitioner,

v.

TROJAN TECHNOLOGIES GROUP, ULC,
Patent Owner.

IPR2023-01015
Patent 8,167,654

Before THOMAS L. GIANNETTI, DAVID C. McKONE, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

HOWARD, *Administrative Patent Judge*.

ORDER
*Conditionally Granting Petitioner's Motion for Admission
Pro Hac Vice of Steven E. Lauridsen
37 C.F.R. § 42.10*

UV Engineering Solutions LLC (“Petitioner”) filed a motion requesting admission *pro hac vice* of Steven E. Lauridsen in this proceeding. Paper 8 (“Motion”). The Motion is supported by a Declaration of Mr. Lauridsen. Paper 8, 5–6 (“Declaration”). Petitioner states that the Motion is unopposed. Paper 8, 3.

Petitioner has submitted Power of Attorney for Mr. Lauridsen in accordance with 37 C.F.R. § 42.10(b). Paper 7. Petitioner has submitted Mandatory Notice, indicating Mr. Lauridsen as back-up counsel, in accordance with 37 C.F.R. § 42.8(a)–(b). Paper 6.

Pursuant to 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 its notice authorizing a motion for admission *pro hac vice*, 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*, Case IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (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 Mr. Lauridsen has sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Mr. Lauridsen has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Mr. Lauridsen meets all other requirements for admission *pro hac vice*. *See* Paper 8, 5–6. We further conclude that Petitioner’s interest in being represented in this proceeding by counsel with litigation experience weighs in favor of granting the Motion. Accordingly, Petitioner has established good cause for admission *pro hac vice* of Mr. Lauridsen.

Mr. Lauridsen will be permitted to appear *pro hac vice* as back-up counsel only.
See 37 C.F.R. § 42.10(c).

However, Petitioner filed the Declaration as part of the Motion. Paper 8, 5–6. This is improper as affidavits and declarations must be filed as exhibits. *See* 37 C.F.R. § 42.63(a) (“Evidence consists of affidavits, transcripts of depositions, documents, and things. All evidence must be filed in the form of an exhibit.”). Accordingly, Petitioner’s Motion is only *conditionally granted*, and is to be effective only after Petitioner files a corrected Declaration as an exhibit.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner’s Motion (Paper 8) for admission *pro hac vice* of Steven E. Lauridsen in this proceeding is *conditionally granted*, provided that within ten (10) business days of the date of this order, Petitioner submits a corrected Declaration for Mr. Lauridsen as an exhibit in this proceeding;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent them as lead counsel for this proceeding;

FURTHER ORDERED that Mr. Lauridsen is authorized to represent Petitioner as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Lauridsen shall comply with the Patent Trial and Appeal Board’s Consolidated Trial Practice Guide¹ (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. Lauridsen 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.*

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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