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Paper: 21
Date: May 15, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INDUCTEV, INC.,
Petitioner,

v.

WITRICITY CORPORATION,
Petitioner.

IPR2023-01182 (Patent 8,461,719 B1)
IPR2023-01208 (Patent 8,912,687 B2)[1]

Before JAMESON LEE, ROBERT J. WEINSCHENK, and SCOTT RAEVSKY, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motions for *Pro Hac Vice*
Admission of Blake R. Davis
37 C.F.R. § 42.10

[1] The combined caption is for administrative convenience only and does not indicate that IPR2023-01182 and IPR2023-01208 have been joined. The parties are not authorized to use this caption without express permission of the Board.

On May 1, 2024, Petitioner filed motions requesting *pro hac vice* admission of Blake R. Davis in each of the above-identified proceedings (collectively "Motions"). Paper 18.[2] Petitioner also submitted declarations from Blake R. Davis in support of the Motions. Ex. 1033 ("Declarations").[3] Petitioner attests that Patent Owner does not oppose the Motions. Paper 18.

For the reasons provided below, Petitioner's Motions are *granted*.

In accordance with 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 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 (PTAB Oct. 15, 2013) (Paper 7) (representative "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. Davis has sufficient legal and technical qualifications to represent Petitioner in these proceedings, has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. Accordingly, Petitioner has established good cause for *pro hac vice*

[2] For purposes of expediency, we cite to the paper filed in IPR2023-01182. Petitioner filed a similar motion in IPR2023-01208. Paper 16.

[3] We cite to the exhibit filed in IPR2023-01182. Petitioner filed a similar declaration in IPR2023-01208. Ex. 1034.

admission of Mr. Davis. Mr. Davis will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Petitioner has filed updated Powers of Attorney that identify Mr. Davis in accordance with 37 C.F.R. § 42.10(b). Paper 16.[4] Petitioner has also filed Mandatory Notices that identify Mr. Davis in accordance with 37 C.F.R. § 42.8(a)(3). Paper 2 (Petition).[5]

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Blake R. Davis are *granted*;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings;

FURTHER ORDERED that Mr. Davis is authorized to represent Petitioner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Mr. Davis be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide[6] (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and comply with 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. Davis is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules

[4] We cite to the paper filed in IPR2023-01182. Petitioner filed a similar paper in IPR2023-01208. Paper 14.

[5] We cite to the paper filed in IPR2023-01182. Petitioner filed a similar paper in IPR2023-01208. Paper 2.

[6] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq*.

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