

Case No. IPR2023-01206

Patent No. 11,293,142 B2

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BILLERUD AKTIEBOLAG (PUBL),

Petitioner

v.

WESTROCK MWV, LLC,

Patent Owner

Case No. IPR2023-01206

Patent No. 11,293,142 B2

**PATENT OWNER'S MOTION FOR
PRO HAC VICE ADMISSION OF CHARLES S. BAKER**

I. RELIEF REQUESTED

Pursuant to the Board’s authorization for the parties to file motions for *pro hac vice* admission under 37 CFR §42.10(c) in the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response of July 31, 2023 (the “Notice”), Patent Owner requests that the Board admit Charles S. Baker *pro hac vice* in this proceeding. As required by the Notice, the following motion for *pro hac vice* admission is filed in accordance with “Order – Authorizing Motion for *pro hac vice* Admission” in Case No. IPR2013-00639 (the “Representative Order”).

Pursuant to the Representative Order, this motion is being filed no sooner than 21 days after the service of the Petition.

II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL *PRO HAC VICE* DURING THE PROCEEDING

In accordance with 37 CFR §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 and to any other conditions as the Board may impose. Section 42.10(c) indicates that, “where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the

proceeding.” The facts detailed herein establish good cause for the Board to recognize Charles S. Baker *pro hac vice* during this proceeding.

1. Lead counsel, Scott D. Wofsy, is a registered practitioner (Reg. No. 35,413).

2. Back-up counsel, Charles S. Baker, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Exhibit 2001, filed herewith, is the Declaration of Charles S. Baker (“Baker Declaration”) in support of this Motion. In his Declaration, Mr. Baker attests, *inter alia*, that: “I am a member in good standing of the Bar of the State of Texas and am admitted to practice before the United States Supreme Court, United States Courts of Appeals for the Fifth, Ninth, and Federal Circuits, the United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas, United States Tax Court, and United States Court of Federal Claims. I am a member of the State Bar of Texas, as well as the American, Federal, Houston, Travis County, and Fifth Federal Circuit Bar Associations, American Intellectual Property Law Association, International Trademark Association, International Trade Commission Trial Lawyers Association, and Houston Intellectual Property Law Association. I have been in private practice since November 1985, and litigating patent cases since September 1993.” Ex. 2001, Baker Declaration at ¶¶ 2-5.

3. Mr. Baker also attests that: “I have extensively reviewed and analyzed the patent at issue, the prosecution history, as well as all presently cited art, and am familiar with the subject matter at issue in the proceeding.” Ex. 2001, Baker Declaration at ¶ 10.

4. In his Declaration, Mr. Baker also attests to each of the listed items required by 37 CFR §42.10(c). *See* Ex. 2001, Baker Declaration at ¶¶ 1-11.

III. CONCLUSION

For the foregoing reasons, Patent Owner Westrock MWV, LLC requests that the Board admit Charles S. Baker *pro hac vice* in this proceeding.

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Dated: August 23, 2023

Respectfully submitted,

/Scott D. Wofsy/

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.6(e) and 37 C.F.R. §42.105(b), the undersigned hereby certifies that on August 23, 2023, a complete copy of the foregoing **Patent Owner's Motion for *Pro Hac Vice* Admission of Charles S. Baker** was served on Petitioner's below-listed counsel of record via electronic mail at: richard.myers@stites.com.

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Dated: August 23, 2023

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