

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLGATE-PALMOLIVE COMPANY,
Petitioner,

v.

NOBLE INNOVATIONS NC L.L.C.,
Patent Owner.

IPR2023-01254
Patent 8,881,332 B2

Before RYAN H. FLAX, TIMOTHY G. MAJORS, and
MICHAEL A. VALEK, *Administrative Patent Judges*.

FLAX, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for *Pro Hac Vice* Admission of
Michael C. Wilson and Jared M. Hoggan
37 C.F.R. § 42.10

On December 5, 2023, Petitioner filed a motion requesting *pro hac vice* admission of Michael C. Wilson; and on March 21, 2024, Petitioner filed a motion requesting *pro hac vice* admission of Jared M. Hoggan. Papers 9 and 15 (collectively, “Motions”). Petitioner also submitted Declarations from Mr. Wilson (Ex. 1016) and Mr. Hoggan (Ex. 1017) in support of the Motions (collectively, “Declarations”). 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”).

We conclude, based on the facts set forth in the Motions and Declarations, that Mr. Wilson and Mr. Hoggan have sufficient legal and technical qualifications to represent Petitioner, have sufficient litigation experience and familiarity with the subject matter of this proceeding, and meet all other requirements for admission *pro hac vice*. *See* Exs. 1016 and 1017. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Wilson and Mr. Hoggan. Mr. Wilson and Mr. Hoggan will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Petitioner filed a Power of Attorney including Mr. Wilson and Mr. Hoggan in accordance with 37 C.F.R. § 42.10(b).

Papers 7 and 14. Petitioner has filed a Mandatory Notice identifying Mr. Wilson as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 8, 2. Petitioner has not similarly filed a Mandatory Notice identifying Mr. Hoggan as back-up counsel, as required.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Michael C. Wilson and Jared M. Hoggan are *granted*;

FURTHER ORDERED that Petitioner must file an updated mandatory notice identifying Mr. Hoggan as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

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

FURTHER ORDERED that Mr. Wilson and Mr. Hoggan are authorized to represent Petitioner as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Wilson and Mr. Hoggan be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide¹ (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. Wilson and Mr. Hoggan are 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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