

Filed: January 10, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRECISION PLANTING LLC,

Petitioner,

v.

MASCHIO GASPARDINO S.p.A.,

Patent Owner.

U.S. Patent No. 8,770,121

IPR Case No. IPR2024-00008

**PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE* OF
ASHLEY E. SHAPIRO**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Maschio Gaspardo S.p.A. requests the Patent Trial and Appeal Board (the “Board”) admit Ashley E. Shapiro *pro hac vice* in this proceeding, IPR2024-00008. Petitioner consents to this motion.

II. STATEMENT OF FACTS

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 and to any other conditions the Board may impose. Section 42.10(c) indicates that, “where 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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Ms. Shapiro *pro hac vice* in this proceeding.

1. Lead counsel, Kevin R. Casey, is a registered practitioner holding Registration No. 37,117. Initial back-up counsel, Elizabeth M. O’Donoghue, registration No. 69,190 is no longer an attorney with Stradley Ronon Stevens & Young, LLP.

2. Ms. Shapiro is an experienced litigator who has an established familiarity with the subject matter at issue in the proceeding. Accompanying this

motion as Exhibit 2010 is the Declaration of Ashley E. Shapiro in Support of this Motion for Admission *Pro Hac Vice* (“Shapiro Decl.”). In her declaration, Ms. Shapiro asserts that she is a member in good standing in the Pennsylvania, New Jersey, and New York Bars. Shapiro Decl. ¶ 4. Ms. Shapiro also states that she has an established relationship with the subject matter of this proceeding. Shapiro Decl. ¶ 12. Specifically, Ms. Shapiro demonstrates that she has a detailed working knowledge of the relevant subject matter including the ’121 patent and its prosecution history, the pleadings and accompanying exhibits. (*Id.*)

3. In her declaration, Ms. Shapiro also attests to each of the listed items required by the Order Authorizing Motion for *Pro Hac Vice* Admission 37 C.F.R. § 42.10 in *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013). *See* Shapiro Decl. ¶¶ 1-10. Ms. Shapiro attests that she has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in 37 C.F.R. § 42. *Id.* ¶ 9. Ms. Shapiro further attests that she agrees to be subject to the United States Patent and Trademark Office’s Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶ 10.

III. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Ms. Shapiro *pro hac vice* in this proceeding.

Respectfully submitted,

Date: January 10, 2024

By: /Kevin R. Casey/
Kevin R. Casey, Lead Counsel
Reg. No. 32,117

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on January 10, 2024 a copy of this PATENT OWNER'S MOTION FOR ADMISSION OF *PRO HAC VICE* OF ASHLEY E. SHAPIRO was served via electronic mail, as agreed to by counsel, upon the following counsel of record for Petitioner:

Scott Brown: sbrown@hoveywilliams.com

Matthew Walters: mwalters@hoveywilliams.com

/Kevin R. Casey

Kevin R. Casey

Reg. No. 32,117