

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLUME DISTRIBUTORS, INC.,

Petitioner,

v.

SIMPLEHUMAN LLC,

Patent Owner

Case IPR2024-00050

U.S. Patent No. 10,683,165 B2

Title: TRASH CAN ASSEMBLY

PETITIONER'S MOTION
FOR PRO HAC VICE ADMISSION

Petitioner, Simplehuman LLC, hereby requests the Board recognize Paul A. Kroeger as counsel *pro hac vice* for this proceeding under 37 C.F.R. § 42.10(c). Patent Owner does not oppose this motion.

I. STATEMENT OF FACTS

As required by § 42.10(c), the following statement of facts demonstrates that there is good cause for the Board to recognize Mr. Kroeger *pro hac vice*.

Mr. Kroeger is an experienced patent litigation attorney. Mr. Kroeger has practiced patent litigation since 2003. Mr. Kroeger is a Partner at the firm of Russ August & Kabat. Mr. Kroeger has experience litigating numerous patent infringement litigation matters before U.S. district courts. Mr. Kroeger has been heavily involved with issues such as the validity of the claims of the '165 patent, some of which overlap with the grounds presented in this IPR proceeding. Patent Owner has expended significant resources in the co-pending litigation with Mr. Kroeger, and it wishes to continue using him as counsel in this IPR proceeding.

Patent Owner has executed a Power of Attorney authorizing Mr. Kroeger to serve as backup counsel in this IPR proceeding. Counsel for Patent Owner has conferred with counsel for Petitioner regarding this motion, and counsel for Petitioner does not oppose this motion.

II. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This Motion for *Pro Hac Vice* admission is accompanied by declaration of Mr. Kroeger, attesting to the facts required by the Board in *Unified Patents, Inc. v. Parallel Iron, LLC*, No. IPR2013-00639 (P.T.A.B. Oct. 15, 2013) (Paper 10).

Dated: May 15, 2024

Respectfully submitted,

/Peter Tong/

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on May 15, 2024, by filing this document through PTACTS as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

Knobbe, Martens, Olson & Bear LLP
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Attorneys for Patent Owner

Date: May 15, 2024

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