

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ALIGN TECHNOLOGY, INC.,  
Petitioner,

v.

DENTAL MONITORING SAS,  
Patent Owner.

---

IPR2024-00052  
Patent 11,049,248 B2

---

Before JEAN R. HOMERE, MICHAEL R. ZECHER, and  
KARA L. SZPONDOWSKI, *Administrative Patent Judges*.

SZPONDOWSKI, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motion for Admission  
*Pro Hac Vice* of Joshua A. Krevitt  
37 C.F.R. § 42.10(c)

On November 7, 2023, Patent Owner filed a Motion for Admission *Pro Hac Vice* of Joshua A. Krevitt. Paper 6 (“Motion”). Patent Owner also filed a Declaration of Joshua A. Krevitt in support of the Motion. Ex. 2001 (“Declaration”). Petitioner has not opposed the Motion. For the reasons provided below, Patent Owner’s Motion is *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 Motion and the accompanying Declaration, we conclude that Mr. Krevitt has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and meets all other requirements for admission *pro hac vice*. *See* Ex. 2001. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Krevitt. Mr. Krevitt will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner has filed a Power of Attorney including Mr. Krevitt in accordance with 37 C.F.R. § 42.10(b). Paper 5. Patent Owner has also filed a Mandatory Notice identifying Mr. Krevitt as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 4.

Accordingly, it is:

ORDERED that Patent Owner's Motion (Paper 6) for *pro hac vice* admission of Joshua A. Krevitt is *granted*;

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

FURTHER ORDERED that Mr. Krevitt is authorized to represent Patent Owner as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Krevitt comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide<sup>1</sup> (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and 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. Krevitt shall be 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.*

---

<sup>1</sup> Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

IPR2024-00052  
Patent 11,049,248 B2

FOR PETITIONER:

Matthew A. Argenti  
Michael T. Rosato  
Patrick M. Medley  
Wilson Sonsini Goodrich & Rosati  
margenti@wsgr.com  
mrosato@wsgr.com  
pmedley@wsgr.com

FOR PATENT OWNER:

Charlotte Jacobsen  
Josh Krevitt  
Jaysen S. Chung  
Gibson, Dunn & Crutcher LLP  
cjacobsen@gibsondunn.com  
JKrevitt@gibsondunn.com  
JSChung@gibsondunn.com