

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AFFORDABLE WIRE MANAGEMENT, LLC,

Petitioner

v.

CAMBRIA COUNTY ASSOCIATION FOR THE BLIND
AND HANDICAPPED, INC.

Patent Owner

Case IPR2024-00139

Patent 10,177,551 B1

**PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION OF TREVIN C. SCHMIDT UNDER 37 C.F.R. § 42.10(c)**

I. INTRODUCTION

Patent Owner Cambria County Association for the Blind and Handicapped, Inc. ("Patent Owner"), pursuant to 37 C.F.R. §42.10(c), respectfully requests that the Board recognize Trevin C. Schmidt, Esq., as counsel *pro hac vice* for Patent Owner during this proceeding. Counsel for Petitioner has indicated that Petitioner does not oppose this motion.

II. STATEMENT OF FACTS DEMONSTRATING GOOD CAUSE EXISTS TO RECOGNIZE COUNSEL *PRO HAC VICE*

Pursuant to 37 C.F.R. § 42.10(c), the Board may admit counsel *pro hac vice* for good cause, subject to any other conditions that the Board may require, so long as lead counsel is a registered practitioner. Good cause includes when "counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding." 37 C.F.R. § 42.10(c). The undersigned, Patent Owner's lead counsel, Daniel J. Melman, is a registered practitioner (Reg. No. 55,451), as is Patent Owner's backup counsel, Theodore Y. McDonough (Reg. No. 71,981). The following statement of facts shows that there is good cause for the Board to recognize Mr. Schmidt *pro hac vice*.

Mr. Schmidt is an experienced litigating attorney and has been involved in numerous complex litigations in state and federal courts involving patents, intellectual property, and trade secrets. Mr. Schmidt has tried cases in federal and state courts, and has represented clients in appeals before the federal and state

appellate courts. Mr. Schmidt has an established familiarity with the subject matter in this proceeding, including, but not limited to, the papers and exhibits filed with the Board to date in this proceeding, U.S. Patent No. 10,177,551 (the “‘551 Patent”), the technology related to the ‘551 Patent, the parties to this proceeding, and the factual and legal issues that are the subject of this proceeding.

Mr. Schmidt also has an established familiarity with the subject matter in the related litigation in the United States District Court for the District of Delaware, captioned *Cambria County Association for the Blind and Handicapped, Inc. v. Affordable Wire Management, LLC*, No. 1:23-cv-00080-SRF (D. Del.), in which Patent Owner has asserted, *inter alia*, patent infringement claims against Petitioner related to the ‘551 Patent and U.S. Patent No. 11,349,291. *See* Patent Owner's Mandatory Notices (Paper No. 6).

Mr. Schmidt is a member in good standing of the Bar of the Commonwealth of Massachusetts, the Bar of the State of Connecticut, the Bar of the State of Maine and the Bar of the State of New York, as well as the United States District Court for District of Connecticut, the United States District Court for the District of Massachusetts, and the United States Court of Appeals for the Third Circuit. He has no suspensions or disbarments from practice, no denials for admission to practice, and no sanctions or contempt citations.

Mr. Schmidt has read and will comply with the Office Patent Trial Practice Guide, the Trial Practice Guide updates, and the Board's Rules of Practice for Trials set forth in Part 42 of Title 37, Code of Federal Regulations, and he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq., and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

Patent Owner's Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Trevin C. Schmidt filed contemporaneously herewith.

III. CONCLUSION

For the foregoing reasons, Patent Owner respectfully submits that there is good cause for the Board to recognize Mr. Schmidt as counsel *pro hac vice* during this proceeding. Accordingly, Patent Owner respectfully requests that the Board grant this motion.

Dated: September 5, 2024

By: /Daniel J. Melman/
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 5th day of September, 2024, a true and correct copy of the foregoing **PATENT OWNER'S MOTION FOR PRO HAC VICE ADMISSION OF TREVIN C. SCHMIDT UNDER 37 C.F.R. § 42.10(c)** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

KCAmendt@mintz.com;
WSDixon@mintz.com;
RCSweeney@mintz.com;
CAB_AWM@mintz.com.

Dated: September 5, 2024

/ Daniel J. Melman /
Daniel J. Melman (Reg. No. 55,451)