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Paper 45
Entered: October 3, 2024

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.

IPR2024-00139 (Patent 10,177,551 B1)
IPR2024-00178 (Patent 11,349,291 B2)[1]

Before JAMES P. CALVE, FRANCES L. IPPOLITO, and NATHAN A. ENGELS, *Administrative Patent Judges*.

PER CURIAM.

ORDER
Granting Petitioner's Motions for *Pro Hac Vice*
Admission of Matthew S. Galica
37 C.F.R. § 42.10

[1] The combined caption is for administrative convenience only and does not indicate that IPR2024-00139 and IPR2024-00178 have been joined. The parties are not authorized to use this caption without express permission of the Board.

On July 2, 2024, Petitioner filed motions requesting *pro hac vice* admission of Matthew S. Galica in each of the above-identified proceedings (collectively "Motions"). Paper 28.[2] Petitioner also submitted declarations of Matthew S. Galica in support of the Motions. Ex. 1040 ("Declarations").[3] Petitioner attests that Patent Owner does not oppose the Motions. Paper 28.

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 that the moving party 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 Motions and the accompanying Declarations, we conclude that Mr. Galica has sufficient legal and technical qualifications to represent Petitioner in these proceedings, has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. Ex. 1040. Accordingly, Petitioner has established good cause for *pro*

[2] For purposes of expediency, we cite to the paper filed in IPR2024-00139. Petitioner filed a similar motion in IPR2024-00178 (Paper 29).

[3] We cite to the exhibit filed in IPR2024-00139. Petitioner filed a similar declaration in IPR2024-00178 (Ex. 1027).

hac vice admission of Mr. Galica. Mr. Galica will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Petitioner has filed Powers of Attorney that identify "Practitioners associated with" Mr. Galica's law firm, "Customer Number 100807," in accordance with 37 C.F.R. § 42.10(b). Paper 2.[4] Petitioner has ***not*** filed Mandatory Notices that identify Mr. Galica in accordance with 37 C.F.R. § 42.8(a)(3). *See* Papers 1 (Petition), 6, 8, 20, 27 (Petitioner's Updated Mandatory Notices).[5]

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Matthew S. Galica are *granted*;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings;

FURTHER ORDERED that Mr. Galica is authorized to represent Petitioner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Mr. Galica be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide[6] (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;

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[4] We cite to the paper filed in IPR2024-0139. Petitioner filed a similar motion in IPR2024-00178 (Paper 2).

[5] We cite to the paper filed in IPR2024-0139. Petitioner filed a similar paper in IPR2024-00178 (Papers 1 (Petition), 9, 12, 23, 28 (Petitioner's Updated Mandatory Notices)).

[6] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

FURTHER ORDERED that Mr. Galica is 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.*; and

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

FOR PETITIONER:

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