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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 Patent Owner's Motions for *Pro Hac Vice*
Admission of Trevin C. Schmidt in IPR2024-00139 and IPR2024-00178
Granting Patent Owner's Motion for *Pro Hac Vice*
Admission of Carson M. Shea in IPR2024-00139
Denying Without Prejudice Patent Owner's Motion for *Pro Hac Vice*
Admission of Carson M. Shea in IPR2024-00178
37 C.F.R. § 42.10

[1] This Order addresses issues that are the same in each of the above-identified proceedings. We issue one Order to be entered in each proceeding. The parties are not authorized to use this style caption unless later permitted.

On September 5, 2024, Patent Owner filed motions requesting *pro hac vice* admission of Carson M. Shea and Trevin C. Schmidt in each of the above-identified proceedings. IPR2024-00139, Papers 35, 36; IPR2024-00178, Papers 39, 40. Patent Owner also submitted declarations from Mr. Schmidt in each proceeding. IPR2024-00139, Ex. 2068; IPR2024-00178, Ex. 2061. Patent Owner, however, only submitted a declaration from Mr. Shea in IPR2024-00139 (Ex. 2067), and not in IPR2024-00178. Patent Owner indicates Petitioner does not oppose the motions. IPR2024-00139, Papers 35, 36; IPR2024-00178, Papers 39, 40. For the reasons provided below, Patent Owner's motions are *granted* with respect to Mr. Schmidt in each of the above-identified proceedings. Patent Owner's motion regarding Mr. Shea in IPR2024-00139 is *granted*, and Patent Owner's motion regarding Mr. Shea in IPR2024-00178 is *denied without prejudice*.

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 motions and the accompanying declarations, we conclude that Messrs. Shea and Schmidt have sufficient legal and technical qualifications to represent Patent Owner in the above-

identified proceedings, have demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and meet all other requirements for admission *pro hac vice*, except for Mr. Shea in IPR2024-000178. We require an affidavit or declaration attesting to the information enumerated in *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 for a showing of good cause. *See, e.g.*, IPR2024-00178, Paper 4, 2 (requiring *pro hac vice* motions to be filed in accordance with Case IPR2013-00639, Paper 7 to provide a showing of good cause). Patent Owner has not filed such an affidavit or declaration for Mr. Shea in IPR2024-00178. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Schmidt in both of the above-identified proceedings, but has established good cause for Mr. Shea only in IPR2024-00139.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's motions for *pro hac vice* admission of Trevin C. Schmidt in IPR2024-00139 and IPR2024-00178 are *granted*;

FURTHER ORDERED that Patent Owner's motion for *pro hac vice* admission of Carson M. Shea in IPR2024-00139 is *granted*;

FURTHER ORDERED that Patent Owner's motion for *pro hac vice* admission of Mr. Shea in IPR2024-00178 is *denied without prejudice*; Patent Owner is authorized to file another motion for Mr. Shea in IPR2024-00178, along with the required affidavit or declaration;

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

FURTHER ORDERED that Messrs. Shea and Schmidt are authorized to represent Patent Owner as back-up counsel only in the proceedings in which they are admitted;

FURTHER ORDERED that Messrs. Shea and Schmidt be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide[2] (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; and

FURTHER ORDERED that Messrs. Shea and Schmidt are 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.*

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

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