

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 No. IPR2024-00182
U.S. Patent No. 11,349,291 B2

**UNOPPOSED MOTION OF AFFORDABLE WIRE MANAGEMENT, LLC
FOR *PRO HAC VICE* ADMISSION OF ANDREW H. DEVOOGD**

I. Statement of Precise Relief Requested

Petitioner Affordable Wire Management, LLC (“AWM”) respectfully requests that the Board admit Andrew H. DeVoogd *pro hac vice* in this proceeding under 37 C.F.R. § 42.10(c). Counsel for Patent Owner has indicated that Patent Owner does not oppose this motion.

II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* during the Proceeding

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).

This application satisfies the requirements of Section 42.10(c):

1. Lead counsel, Serge Subach, the undersigned, is a registered Practitioner.
2. *Pro Hac Vice* Applicant, Mr. Andrew H. DeVoogd, is an experienced patent litigator. As attested to in the accompanying Declaration dated November 17, 2023 (“DeVoogd Declaration”), Exhibit 1025, ¶¶ 2, 3, Mr. DeVoogd has over 15 years’ experience in numerous litigations involving patent infringement in District Courts throughout the United States and before the International Trade

Commission. He is a member at the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo P.C. (“Mintz Levin”). *Id.* ¶ 1. Mr. DeVoogd is a member in good standing of the Bar of the Commonwealth of Massachusetts with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations. *Id.* ¶¶ 2, 6. He is also admitted to practice before the Supreme Court of the United States, the United States Courts of Appeals for the Federal, First, and Fifth Circuits, the United States District Court for the District of Massachusetts, and the United States District Courts for the Eastern and Western Districts of Texas. *Id.* ¶ 2.

3. Mr. DeVoogd has an established familiarity with the subject matter at issue in this proceeding, as well as the parallel litigation involving U.S. Patent No. 11,349,291 (“the ’291 Patent”) filed by Patent Owner in the United States District Court for the District of Delaware (Civil Action No. 1:23-cv-00080-SRF). DeVoogd Declaration ¶ 4. He has reviewed and is familiar with all the relevant materials for this matter, including the case pleadings, the ’291 Patent, its prosecution history, and the prior art references that are the subject of this *inter partes* review proceeding. In addition, Mr. DeVoogd has a thorough understanding of the grounds of unpatentability asserted in the Petition and the challenged claims of the ’291 Patent. *Id.* ¶ 5.

4. Mr. DeVoogd has read and will comply with the Office Patent Trial Practice Guide, the Trial Practice Guide updates, and the Board's Rules for Practice for Trials set forth in part 42 of the C.F.R., 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). *Id.* at ¶¶ 7-8.

5. Mr. DeVoogd has applied and was admitted to appear *pro hac vice* in the following proceedings before the United States Patent and Trademark Office in the last three (3) years: *SK Hynix Inc., et al. v. Netlist, Inc.* (IPR2020-01042, - 01044) and *Princeton Carbon Works Inc. v. Metron IP Limited* (IPR2022-00078, - 00082) *Id.* ¶ 9.

For the foregoing reasons, Petitioner AWM respectfully requests that the Board admit Andrew H. DeVoogd *pro hac vice* in this proceeding.

Dated: November 17, 2023

/Serge Subach/

Serge Subach (Reg. No. 74,652)
Williams S. Dixon (Reg. No. 78,346)
Andrew H. DeVoogd (*pro hac vice*
filed herewith)
Robert C. Sweeney (*pro hac vice* to be
filed)
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, MA 02111
Telephone: 617-348-1793
Facsimile: 617-542-2241
E-mail: SSubach@mintz.com
AHDeVoogd@mintz.com
RCSweeney@mintz.com

*Counsel to Petitioner Affordable Wire
Management, LLC*

CERTIFICATE OF SERVICE

I certify that copies of the Unopposed Motion by Affordable Wire Management, LLC for *Pro Hac Vice* Admission of Andrew H. DeVoogd and Affordable Wire Management, LLC's Exhibit 1025 were served by electronic mail on the Patent Owner at the correspondence address of record for the '291 Patent as indicated on the USPTO Patent Center:

ECKERT SEAMANS CHERIN & MELLOTT LLC

Attn:

Stephen Bucchianeri

Edward Flynn

Daniel Melman

Theodore McDonough

U.S. Steel Tower

600 Grant Street, 44th Floor

Pittsburgh, PA 15219

Email: SBucchianeri@eckertseamans.com

EFlynn@eckertseamans.com

DMelman@eckertseamans.com

TMcDonough@eckertseamans.com

ipmail@eckertseamans.com

Dated: November 17, 2023

/Serge Subach/

Serge Subach (Reg. No. 74,652)