Trials@uspto.gov
571-272-7822

Paper No. 6

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 ROBERT C. SWEENEY

I. Statement of Precise Relief Requested

Petitioner Affordable Wire Management, LLC ("AWM") respectfully requests that the Board admit Robert C. Sweeney *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. Robert C. Sweeney, is an experienced patent litigator. As attested to in the accompanying Declaration dated November 17, 2023 ("Sweeney Declaration"), Exhibit 1026, ¶¶ 2, 3, Mr. Sweeney has experience in numerous litigations involving patent infringement in District Courts throughout the United States and before the International Trade Commission, and

is an associate at the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo P.C. ("Mintz Levin"). *Id.* ¶ 1. Mr. Sweeney 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.

3. Mr. Sweeney 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). Sweeney 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. Sweeney 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. Sweeney 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.

For the foregoing reasons, Petitioner AWM respectfully requests that the Board admit Robert C. Sweeney *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)
Robert C. Sweeney (*pro hac vice* filed herewith)
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 Robert C. Sweeney and Affordable Wire Management, LLC's Exhibit 1026 were served by electronic mail on the Patent Owner at the correspondence address of record for the '551 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)