
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROLIME AGRICULTURAL LLC and
CAUDILL SEED AND WAREHOUSE CO., INC.
Petitioners

v.

SUL4R-PLUS, LLC
Patent Owner.

Inter Partes Review No. IPR2024-00236
Patent No. 9,873,638

MOTION FOR PRO HAC VICE ADMISSION

In accordance with 37 C.F.R. § 42.10(c), regarding Trial Practice before the Office of the Patent Trial and Appeal Board (“PTAB”), the undersigned counsel respectfully moves the PTAB for admission of Steven Susser *pro hac vice* for purposes of appearing and presenting as counsel for and on behalf of PROLIME AGRICULTURAL LLC and CAUDILL SEED AND WAREHOUSE CO., INC, in the above-styled case. In support thereof, undersigned counsel states as follows:

1. Mr. Susser is a member in good standing with the State Bar of Michigan. He was admitted to practice law in the State of Michigan in on June 13, 1995. Mr. Susser’s Michigan Bar Number is P52940. He is also licensed in the State of New York. A Declaration attesting to Mr. Susser’s current good standing is attached as Exhibit A.

2. Mr. Susser is an experienced litigation attorney in patent, trademark, and copyright matters. He has an established familiarity with this matter because he, along with the undersigned counsel, represents petitioner Prolime Agricultural, LLC in co-pending litigation concerning the patent at issue in this inter partes review, U.S. Patent No. 9,873,638. The co-pending litigation is styled *Sul4r-Plus, LLC v. Prolime Agriculture LLC*, Case No. 2:22-cv-12798-LJM-EAS in the Eastern District of Michigan. In the course of his involvement with the litigation, Mr. Susser has become familiar with the patent-in-suit, relevant prior art to the patent-in-suit, and the reasons the patent-in-suit is unpatentable in view of the relevant prior art.

3. Mr. Susser has been retained by PROLIME AGRICULTURAL LLC and CAUDILL SEED AND WAREHOUSE CO., INC, to serve as counsel in the above-styled case. Mr. Susser's address, telephone number, facsimile number and e-mail address are as follows:

Steven Susser
Carlson, Gaskey & Olds, P.C.
400 West Maple Road, Suite 350
Birmingham, Michigan 48009
Telephone: (248) 988-8360
Facsimile: (248) 988-8363
E-mail: ssusser@cgolaw.com

4. Mr. Susser has never been disbarred or suspended from practice before by court, department, bureau, commission of any state or the United States. Mr. Susser has never received any reprimand from any such court, department, bureau or commission pertaining to conduct or fitness as a member of the bar.

5. In accordance with the PTAB, the pro hac vice admission fee of \$250.00 is being paid concurrently with the filing of this Motion.

WHEREFORE, the undersigned counsel respectfully moves the Office of the PTAB to enter an Order permitting Steven Susser to appear *pro hac vice* before the Office of the PTAB as counsel for and on behalf of PROLIME AGRICULTURAL LLC and CAUDILL SEED AND WAREHOUSE CO., INC, for all purposes relating to the proceedings in the above-styled case.

CARLSON, GASKEY & OLDS, P.C.

/Jessica Fleetham /

Jessica Fleetham

Registration No. 70,951

400 West Maple, Suite 350

Birmingham, MI 48009

Telephone: (248) 988-8360

Dated: December 1, 2023

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.105, I hereby certify that a true and correct copy of the foregoing Motion for Pro Hac Vice Admission was served on Henry Ward on December 1, 2023, via FedEx Priority Overnight to the following address:

MOORE & VAN ALLEN PLLC
ATTN: IP DEPARTMENT
100 North Tryon Street
Suite 4700
Charlotte, NC 28202
UNITED STATES

and via email to the following address:

henryward@mvalaw.com

A courtesy copy has also been sent via email to:

Fred K. Herrmann, fherrmann@kerr-russell.com

J. Mark Wilson, markwilson@mvalaw.com

Becky Harasimowicz, beckyharasimowicz@mvalaw.com

Sam Merritt, sammerritt@mvalaw.com

CARLSON, GASKEY & OLDS, P.C.

/Jessica Fleetham /

Jessica Fleetham
Registration No. 70,951
400 West Maple, Suite 350
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Telephone: (248) 988-8360

Dated: November 29, 2023

EXHIBIT A

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DECLARATION OF STEVEN SUSSER

In support of the Motion for Pro Hac Vice Admission of Steven Susser on behalf of PROLIME AGRICULTURAL LLC and CAUDILL SEED AND WAREHOUSE CO., INC, Steven Susser declares as follows:

1. I am an attorney in good standing and licensed to practice law in the State of Michigan, registration #P52940. I am also licensed to practice in New York State.

2. I do not have any suspensions or disbarments form practice before any court or administrative body.

3. No application for admission to practice before any court has ever been denied.

4. I have never had any sanctions or contempt citations imposed by any court or administrative body.

5. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.;

6. I am subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et. seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. I have not applied to appear *pro hac vice* in any proceeding before the Office in the last three years.

8. I am an experienced litigation attorney in patent, trademark, and copyright matters. I have an established familiarity with this matter because I represent petitioner Prolime Agricultural, LLC in co-pending litigation concerning the patent at issue in this inter partes review, U.S. Patent No. 9,873,638. The co-pending litigation is styled Sul4r-Plus, LLC v. Prolime Agriculture LLC, Case No. 2:22-cv-12798-LJM-EAS in the Eastern District of Michigan. In the course of my involvement with the litigation, I have become familiar with the patent-in-suit, relevant prior art to the patent-in-suit, and the reasons the patent-in-suit is unpatentable in view of the relevant prior art.

9. I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 29, 2023

By: 

Steven Susser