
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

REVISED 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. Counsel apologizes for the discrepancy in the original Motion (Paper 5) filed on December 1, 2023 noted in the email from the Board on February 2, 2024, and hereby files a revised Motion in accordance with the Board’s instructions in that email.

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 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 for a disciplinary reason. Mr. Susser's status as a "Currently Registered" attorney with the New York State Unified Court System lapsed from June 7, 1999 to June 13, 2000 due to unintentional nonpayment of dues. At the time, Mr. Susser was practicing law in the State of Michigan and inadvertently failed to renew his registration in the State of New York. The New York State Unified Court System considers this to be a "suspension." Mr. Susser renewed his registration with the State of New York in

2000 and has maintained the registration since. 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. The aforementioned “suspension” does not in any way reflect on Mr. Susser’s ability to serve as counsel in this matter nor does it override Mr. Susser’s established familiarity with this matter, as discussed above.

5. In accordance with the PTAB, the pro hac vice admission fee of \$250.00 is was paid on December 1, 2023 with the filing of the original Motion (Paper 5).

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: February 23, 2024

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), I hereby certify that a true and correct copy of the foregoing Revised Motion for Pro Hac Vice Admission was served on Patent Owner's counsel on February 23, 2024 as follows:

Henry B. Ward
MOORE & VAN ALLEN PLLC
100 North Tryon Street, Suite 4700
Charlotte, NC 28202
Telephone: (704) 331-1000
Facsimile: (704) 331-1000
henryward@mvalaw.com

Samuel C. Merritt
MOORE & VAN ALLEN PLLC
100 North Tryon Street, Suite 4700
Charlotte, NC 28202
Telephone: (704) 331-1000
Facsimile: (704) 331-1000
sammerritt@mvalaw.com

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

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