

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DROPBOX, INC.,
Petitioner,

v.

MOTION OFFENSE, LLC,
Patent Owner.

IPR2024-00286
IPR2024-00287
Patent 11,611,520 B1¹

Before THOMAS L. GIANNETTI, NORMAN H. BEAMER, and
SCOTT RAEVSKY, *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motions for
Pro Hac Vice Admission of Todd C. Zubler
37 C.F.R. § 42.10(c)

¹ This Order addresses substantively identical motions filed in each of the above-captioned proceedings. We exercise our discretion to issue one Order to cover all proceedings. The parties are not authorized to use this caption without express permission of the Board.

IPR2024-00286 (Patent 11,611,520 B1)
IPR2024-00287 (Patent 11,611,520 B1)

Petitioner filed Motions for *pro hac vice* admission of Todd C. Zubler (Paper 24²) in each of the above-captioned proceedings. Petitioner submitted Declarations of Todd C. Zubler (Ex. 1026) in support of each Motion. Petitioner states that Patent Owner does not oppose the Motions. Paper 24, 1. For the reasons provided below, Petitioner's Motions are *granted*.

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, Paper 7 (PTAB Oct. 15, 2013) (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 Mr. Zubler has sufficient legal and technical qualifications to represent Petitioner in these proceedings, has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. *See* Ex. 1026 ¶¶ 1–9, 12–14. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Zubler. Mr. Zubler will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

² This Order cites to papers and exhibits filed in IPR2024-00286. Corresponding items were filed in IPR2024-00287.

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We note that Petitioner has filed a Power of Attorney which includes Mr. Zubler in accordance with 37 C.F.R. § 42.10(b). Paper 1. Petitioner has also filed Mandatory Notices identifying Mr. Zubler as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 25.

Accordingly, it is

ORDERED that Petitioner's Motions for *pro hac vice* admission of Todd C. Zubler are *granted*;

FURTHER ORDERED that Petitioner continue to have a registered practitioner represent it as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Zubler is authorized to act as back-up counsel only in these proceedings;

FURTHER ORDERED that Mr. Zubler be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019))³ 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 Mr. Zubler is 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.*

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

IPR2024-00286 (Patent 11,611,520 B1)

IPR2024-00287 (Patent 11,611,520 B1)

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