

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DBR FINANCE, INC.,
Petitioner,

v.

RUGGED CROSS HUNTING BLINDS, LLC,
Patent Owner.

IPR2024-00291
Patent 11,399,535 B2

Before KEVIN W. CHERRY, CYNTHIA L. MURPHY, and
JASON W. MELVIN, *Administrative Patent Judges*.

MURPHY, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for *Pro Hac Vice*
Admission of Amber N. Davis
37 C.F.R. § 42.10(c)

Patent Owner filed a motion in IPR2024-00291, requesting *pro hac vice* admission of Amber N. Davis. Paper 7. The motion is supported by a declaration of Ms. Davis (Ex. 2001). Petitioner has not filed an opposition to Patent Owner's motion.

In accordance with 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. 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. *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative "Order – Authorizing Motion for *Pro Hac Vice* Admission").

Based on the facts set forth in the motion, we conclude that Ms. Davis has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Ms. Davis has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Ms. Davis meets all other requirements for admission *pro hac vice*. See Ex. 2001. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Ms. Davis. Ms. Davis will be permitted to serve as back-up counsel only. See 37 C.F.R. § 42.10(c).

We note that Patent Owner filed a Power of Attorney that includes Ms. Davis in accordance with 37 C.F.R. § 42.10(b). Paper 4, 2. Patent Owner also filed Mandatory Notices identifying Ms. Davis as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 5, 3.

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner's Motion for Admission *Pro Hac Vice* and Designation of Counsel is *granted*;

FURTHER ORDERED that Ms. Davis is authorized to act only as back-up counsel in the instant proceeding;

FURTHER ORDERED that Patent Owner shall continue to have a registered practitioner represent it as lead counsel for the instant proceeding;

FURTHER ORDERED that Ms. Davis shall comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide¹ (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and 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 Ms. Davis shall be 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.*

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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