

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., GOOGLE LLC,
and SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

HEADWATER RESEARCH LLC,
Patent Owner.

IPR2024-00341 (Patent 8,406,733 B2)
IPR2024-00342 (Patent 8,406,733 B2)

Before HYUN J. JUNG, ROBERT J. WEINSCHENK, and
GARTH D. BAER, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

ORDER¹
Granting Petitioner's Motions for
Pro Hac Vice Admission of Turhan F. Sarwar and Gregory F. Corbett
37 C.F.R. § 42.10

¹ This Order applies to each of the listed cases. We exercise our discretion to issue one Order to be docketed in each case. The parties, however, are not authorized to use this caption for any subsequent papers.

Petitioner filed motions requesting *pro hac vice* admission of Turhan F. Sarwar (Paper 8,² “Sarwar Motion”) and Gregory F. Corbett (Paper 9, “Corbett Motion”) in each of the above-identified proceedings (collectively “Motions”). Petitioner also submitted Declarations from Mr. Sarwar (Exhibit 1041, “Sarwar Declaration”) and from Mr. Corbett (Exhibit 1042, “Corbett Declaration”) in support of the Motions (collectively “Declarations”). Patent Owner did not oppose the Motions within the requisite time period.

For the reasons provided below, the 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 these proceedings. *See 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 Motions and the accompanying Declarations, we conclude that Mr. Sarwar and Mr. Corbett have sufficient legal and technical qualifications to represent Petitioner in the above-identified proceedings, that they have demonstrated sufficient familiarity

² For purposes of expediency, we cite to Papers and Exhibits filed in IPR2024-00341. Petitioner filed similar Papers and Exhibits in IPR2024-00342.

with the subject matter of these proceedings, that they meet all other requirements for admission *pro hac vice*, and that Petitioner's intent to be represented by counsel with litigation experience is warranted. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Sarwar and Mr. Corbett, who will be permitted to serve only as back-up counsel. *See* 37 C.F.R. § 42.10(c).

Upon review of the record before us, we note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) was submitted for Mr. Sarwar and Mr. Corbett. Paper 2. In addition, Petitioner has filed mandatory notices identifying Mr. Sarwar and Mr. Corbett as back-up counsel. Paper 4, 79–80.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Turhan F. Sarwar and Gregory F. Corbett are *granted*;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings;

FURTHER ORDERED that Mr. Sarwar and Mr. Corbett are authorized to represent Petitioner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Mr. Sarwar and Mr. Corbett comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide³ (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 Mr. Sarwar and Mr. Corbett are subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the

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

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USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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