Trials@uspto.gov
Tel: 571-272-7822

Paper: 26
Date: November 12, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JEISYS MEDICAL INC.,
Petitioner,

v.

SERENDIA, LLC,
Patent Owner.

IPR2024-00383 (Patent 9,775,774 B2)
IPR2024-00384 (Patent 9,320,536 B2)
IPR2024-00386 (Patent 9,480,836 B2)
IPR2024-00463 (Patent 10,869,812 B2)[1]

Before SHERIDAN K. SNEDDEN, CARL M. DEFRANCO,
TINA E. HULSE, MICHAEL L. WOODS, and SCOTT RAEVSKY,
Administrative Patent Judges.[2]

DEFRANCO, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for Admission
Pro Hac Vice of Cecilia Peniza
37 C.F.R. § 42.10(c)

---

[1] This Order addresses issues that are the same in each of the above-listed proceedings. We issue one Order to be filed in each proceeding. The parties are not authorized to use this heading style in any subsequent papers.
[2] This is not an expanded panel. Three of the listed judges are assigned to each proceeding.

On September16, 2024, Patent Owner filed a motion for admission *pro hac vice* of Cecilia Peniza in each of the above-identified proceedings. Paper 22 ("Motion").[3] Patent Owner indicates that the Motion is unopposed. *Id.* at 1. The Motion is supported by a Declaration of Ms. Peniza. Ex. 2141 ("Declaration").

Pursuant to 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 its notice authorizing motions for *pro hac vice* admission, the Board requires a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration from the individual seeking to appear in this proceeding. *See* Paper 4, 2 (citing *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 Motion and the accompanying Declaration, we conclude that Ms. Peniza has sufficient legal and technical qualifications to represent Patent Owner in the above-identified proceedings, that Ms. Peniza has demonstrated sufficient familiarity with the subject matter of these proceedings, that Ms. Peniza meets all other requirements for admission *pro hac vice*, and that Patent Owner's intent to be represented by counsel with litigation experience is warranted. Accordingly, Patent Owner

[3] For expediency, we refer to Paper numbers and exhibits filed in IPR2024-00383. Similar Papers were filed in IPR2024-00384, IPR2024-00386, and IPR2024-00463.

has established good cause for *pro hac vice* admission of Ms. Peniza. As such, Ms. Peniza will be permitted to serve as back-up counsel. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner also filed a Power of Attorney listing Ms. Peniza in accordance with 37 C.F.R. § 42.10(b) and an Updated Mandatory Notice identifying Ms. Peniza as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). *See* Papers 5, 6, respectively.

ORDER

Accordingly, it is

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Ms. Cecilia Peniza in each of the above-identified proceedings is *granted*;

FURTHER ORDERED that Patent Owner continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings and that Ms. Peniza is authorized to act as back-up counsel only;

FURTHER ORDERED that Ms. Peniza comply with the updated Office Patent Trial Practice Guide[4] (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 of the Code of Federal Regulations; and

FURTHER ORDERED that Ms. Peniza is subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO's Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

[4] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

IPR2024-00383 (Patent 9,775,774 B2)
IPR2024-00384 (Patent 9,320,536 B2)
IPR2024-00386 (Patent 9,480,836 B2)
IPR2024-00463 (Patent 10,869,812 B2)

FOR PETITIONER:

Wesley O. Mueller
Leonard Z. Hua
Paul J. Filbin
Brent A. Chatham
LEYDIG, VOIT & MAYER, LTD.
wmueller@leydig.com
lhua@leydig.com
pfilbin@leydig.com
bchatham@leydig.com
jeisys-IPR@leydig.com

FOR PATENT OWNER:

Charles H. Sanders
Cecilia Peniza
Steven W. Peters
LATHAM & WATKINS LLP
charles.sanders@lw.com
cecilia.peniza@lw.com
steven.peters@lw.com