

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner,

v.

GRAPHITE CHARGING COMPANY, LLC,
Patent Owner.

IPR2024-00387 (Patent 8,103,391 B2)
IPR2024-00388 (Patent 8,291,243 B2)¹

Before KEN B. BARRETT, MATTHEW S. MEYERS, and
JOHN R. KENNY, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for
Admission *Pro Hac Vice* of Nadiia Loizides
37 C.F.R. § 42.10

¹ This Order addresses issues that are same in each of the above captioned proceedings and we exercise our discretion to issue one Order to be filed in each proceeding. The proceedings have not been consolidated, and the parties are not authorized to use this style heading in any subsequent papers.

On June 28, 2024, Patent Owner filed a motion requesting admission *pro hac vice* of Nadiia Loizides in each of the above-identified proceedings. Paper 12 (“Motion,” “Mot.”).² The Motion in each case is supported by a Declaration of Ms. Loizides. Ex. 2003 (“Declaration”). For the reasons provided below, Patent Owner’s Motions are *granted*.

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, subject to the condition that lead counsel be a registered practitioner. The representative Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. *See* Paper 3, 2 (citing *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 each Motion and its accompanying Declaration, we conclude that Ms. Loizides meets the requirements for admission *pro hac vice*. *See, e.g.*, Mot. 2–3; Decl. ¶¶ 5–6, 9–10³. Accordingly, Patent Owner has established good cause for *pro hac vice*

² For purposes of expediency, we cite to Papers and Exhibits filed in IPR2024-00387, unless otherwise indicated. Patent Owner filed corresponding items in IPR2024-00388.

³ The Declaration states that “I have read and will comply with . . . the Board’s Rules of Practice for Trials set forth in part 42 of *the* C.F.R.” and that “I will be subject to the United States Patent and Trademark Office *Code of Professional Responsibility* set forth in 37 C.F.R. § § 11.101 *et seq.* Ex. 2003 ¶¶ 5–6 (emphasis added). We understand these to be references to, respectively, the Board’s Rules in Part 42 of *Title 37, Code of Federal Regulations*, and the USPTO *Rules of Professional Conduct* set forth in 37 C.F.R. § § 11.101 *et. seq.*

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admission of Ms. Loizides. Ms. Loizides will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed Powers of Attorney including Ms. Loizides in accordance with 37 C.F.R. § 42.10(b). Paper 9. Patent Owner has also filed Mandatory Notices identifying Ms. Loizides as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 8.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion for *pro hac vice* Admission of Nadiia Loizides in each of the captioned proceedings is *granted*;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for these proceedings;

FURTHER ORDERED that Ms. Loizides is authorized to represent Patent Owner as back-up counsel only in these proceedings;

FURTHER ORDERED that Ms. Loizides comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide⁴ (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. Loizides 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.*

⁴ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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