

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK LLC, DISH NETWORK SERVICE LLC,
DISH NETWORK CORPORATION, and
DISH NETWORK CALIFORNIA SERVICE CORPORATION,
Petitioner,

v.

ENTROPIC COMMUNICATIONS, LLC,
Patent Owner.

IPR2024-00462
Patent 7,889,759 B2

Before LYNNE H. BROWNE, BARBARA A. PARVIS, and
FREDERICK C. LANEY, *Administrative Patent Judges*.

LANEY, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motions for
Pro Hac Vice Admission of Nathan Nobu Lowenstein and Colette Woo
37 C.F.R. § 42.10(c)

Patent Owner filed Motions for *Pro Hac Vice* Admission of Nathan Nobu Lowenstein (Paper 9) and Colette Woo (Paper 10) in the above-captioned proceeding. Patent Owner submitted Declarations of Nathan Nobu Lowenstein (Ex. 2001) and Colette Woo (Ex. 2002) in support of each Motion. Patent Owner states that Petitioner does not oppose the Motions. Paper 9, 2; Paper 10, 1. For the reasons provided below, Patent Owner'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. Lowenstein and Ms. Woo have sufficient legal and technical qualifications to represent Patent Owner in this proceeding, have demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and meet all other requirements for admission *pro hac vice*. *See* Ex. 2001 ¶¶ 1–11, 15; Ex. 2002 ¶¶ 1–11, 14. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Lowenstein and Ms. Woo.

Mr. Lowenstein and Ms. Woo 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 including Mr. Lowenstein and Ms. Woo in accordance with 37 C.F.R. § 42.10(b). Paper 6. Patent Owner has also filed Mandatory Notices identifying Mr. Lowenstein and Ms. Woo as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 7.

Accordingly, it is

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Mr. Lowenstein and Ms. Woo are *granted*;

FURTHER ORDERED that Patent Owner continue to have a registered practitioner represent it as lead counsel in this proceeding;

FURTHER ORDERED that Mr. Lowenstein and Ms. Woo are authorized to act as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Lowenstein and Ms. Woo be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019))¹ 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. Lowenstein and Ms. Woo are 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>.

IPR2024-00462
Patent 7,889,759 B2

FOR PETITIONER:

Adam R. Shartzer
Ruffin B. Cordell
Matthew P. Mosteller
John J. Thuermer
Alyaman Amer
Timothy Riffe
Usman Khan
FISH & RICHARDSON P.C.
shartzer@fr.com
cordell@fr.com
thuermer@fr.com
mosteller@fr.com
riffe@fr.com
tspurs10@yahoo.com
amer@fr.com

FOR PATENT OWNER:

Jason A. Engel
Erik J. Halverson
Jared R. Lund
Reg. No. 73,552
K&L GATES LLP
jason.engel.ptab@klgates.com
erik.halverson@klgates.com
jared.lund@klgates.com