

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK LLC,
Petitioner,

v.

ENTROPIC COMMUNICATIONS, LLC,
Petitioner.

IPR2024-00373 (Patent No. 7,594,249 B2)
IPR2024-00393 (Patent No. 7,295,518 B1)
IPR2024-00462 (Patent No. 7,889,759 B2)
IPR2024-00555 (Patent No. 8,320,566 B2)¹

Before LYNNE H. BROWNE, PATRICK R. SCANLON,
BARBARA A. PARVIS, JON M. JURGOVAN, and FREDERICK C. LANEY,
Administrative Patent Judges.

JURGOVAN, *Administrative Patent Judge.*

ORDER

Granting Petitioner's Motion for *Pro Hac Vice*
Admission of Michael J. Ballanco
37 C.F.R. § 42.10

¹ The combined caption is for administrative convenience only and does not indicate a joined case or an expanded panel. The parties are not authorized to use this caption absent express permission of the Board.

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On August 7, 2024, Petitioner filed a motion (Paper 11, “Motion”)² requesting *pro hac vice* admission of Michael J. Ballanco. Petitioner filed a declaration (Ex. 1027, “Declaration”)³ from Mr. Ballanco in support of the 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. *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 Motion and the accompanying Declaration, we conclude that Mr. Ballanco has sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Mr. Ballanco has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Mr. Ballanco meets all other requirements for admission *pro hac vice*. *See* Declaration ¶¶ 1–10. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Ballanco.

² We cite to the paper filed in IPR2024-00373. Similar papers were filed in IPR2024-00393 (Paper 9), IPR2024-00462 (Paper 12), and IPR2024-00555 (Paper 7).

³ We cite to the declaration filed in IPR2024-00373. Similar declarations were filed in IPR2024-00393 (Ex. 1030), IPR2024-00462 (Ex. 1031), and IPR2024-00555 (Ex. 1034).

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In view of the above, it is

ORDERED that Petitioner's Motion for *pro hac vice* admission of Michael J. Ballanco is granted;

FURTHER ORDERED that Petitioner continue to have a registered practitioner represent it as lead counsel for the instant proceeding, but that Mr. Ballanco is authorized to act as back-up counsel;

FURTHER ORDERED that Mr. Ballanco comply with the Patent Trial and Appeal Board's 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;⁵ and

FURTHER ORDERED that Mr. Ballanco 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>.

⁵ The Declaration states that "I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations." Declaration ¶ 5. The Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials are set forth in Part 42 *of Title 37*, Code of Federal Regulations. We deem this harmless error.

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PETITIONER:

Adam Shartzner
shartzner@fr.com

Ruffin Cordell
cordell@fr.com

Matthew Mosteller
mosteller@fr.com

John Thuermer
thuermer@fr.com

Timothy Riffe
riffe@fr.com

Usman Khan
khan@fr.com

PETITIONER:

Jason Engel
Jason.engel.ptab@klgates.com

Erik Halverson
Erik.halverson@klgates.com

Jared Lund
Lared.lund@klgates.com