

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTERACTIVE COMMUNICATIONS INTERNATIONAL, INC.,
Petitioner,

v.

BLACKHAWK NETWORK INC.,
Patent Owner.

IPR2024-00465
Patent 11,488,451 B2

Before LYNNE H. BROWNE, BART A. GERSTENBLITH, and
ARTHUR M. PESLAK, *Administrative Patent Judges*.

GERSTENBLITH, *Administrative Patent Judge*.

DECISION

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

Patent Owner filed a motion for admission *pro hac vice* of Mr. Jason F. Hoffman in the above-captioned proceeding. Paper 6 (“Mot.”). The Motion was accompanied by a Declaration from Mr. Hoffman (Ex. 2001). Mandatory Notices and a Power of Attorney listing Mr. Hoffman are of record. Papers 4, 5.

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 of the individual seeking to appear in this proceeding. *See* Paper 3, 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 Mr. Hoffman has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that he has demonstrated sufficient familiarity with the subject matter of this proceeding, that he 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 has established good cause for *pro hac vice* admission of Mr. Hoffman, who will be permitted to serve only as back-up counsel. *See* 37 C.F.R. § 42.10(c).

ORDER

It is:

ORDERED that Patent Owner's motion for *pro hac vice* admission of Jason F. Hoffman is *granted*, and Mr. Hoffman is authorized to represent Patent Owner only as back-up counsel in this proceeding;

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

FURTHER ORDERED that Mr. Hoffman is to comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide¹ (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. Hoffman 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.

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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