

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REOLINK INNOVATION INC. and
SHENZHEN REOLINK TECHNOLOGY CO., LTD,
Petitioner,

v.

THROUGHTTEK CO., LTD,
Patent Owner.

IPR2024-00509
Patent RE47,842 E

Before MICHAEL J. STRAUSS, DAVID C. McKONE, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

STRAUSS, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for *Pro Hac Vice*
Admission of David M. Barkan, Jessica Wang, and Menglin Sun
37 C.F.R. § 42.10

On January 22, 2025, Petitioner filed motions for *Pro Hac Vice* Admission of David M. Barkan (Paper 26), Jessica Wang (Paper 27), and Menglin Sun (Paper 28) in the above-captioned proceeding (collectively, “Motions”). The Motions are supported by declarations of Mr. Barkan (Ex. 1030), Ms. Wang (Ex. 1031), and Ms. Sun (Ex. 1032). Petitioner represents that Patent Owner does not oppose the Motions. Paper 26, 4; Paper 27, 4; Paper 28, 4. For the reasons below, Petitioner’s Motions are *granted*.

Pursuant to 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. A motion for *pro hac vice* admission must contain a statement of facts showing there is good cause for us to recognize counsel *pro hac vice* during the proceeding and be accompanied by an affidavit or declaration of the individual seeking to appear. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, slip op. at 3–4 (PTAB Oct. 15, 2013) (Paper 7) (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. Barkan, Ms. Wang, and Ms. Sun have sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Mr. Barkan, Ms. Wang, and Ms. Sun have demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Mr. Barkan, Ms. Wang, and Ms. Sun meet all other requirements for admission *pro hac vice*. *See* Ex. 1030 ¶¶ 1–10; Ex. 1031 ¶¶ 1–10; Ex. 1032 ¶¶ 1–10. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Barkan, Ms. Wang, and Ms. Sun. Mr. Barkan, Ms. Wang, and Ms. Sun will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that a Power of Attorney has not been submitted for Mr. Barkan, Ms. Wang, and Ms. Sun in accordance with 37 C.F.R. § 42.10(b) and Updated Mandatory Notices have not been submitted identifying Mr. Barkan, Ms. Wang, and Ms. Sun in accordance with 37 C.F.R. § 42.8.

It is, therefore,

ORDERED that Petitioner's Motions for *Pro Hac Vice* Admission of David M. Barkan, Jessica Wang, and Menglin Sun are *conditionally granted* provided that within ten (10) business days of the date of this order, Petitioner submits a Power of Attorney for Mr. Barkan, Ms. Wang, and Ms. Sun in accordance with 37 C.F.R. § 42.10(b); Mr. Barkan, Ms. Wang, and Ms. Sun are authorized to act only as back-up counsel;

FURTHER ORDERED that within ten (10) business days of the date of this Order, Petitioner shall file updated Mandatory Notices in accordance with 37 C.F.R. § 42.8(b)(3) listing Mr. Barkan, Ms. Wang, and Ms. Sun as back-up counsel;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel;

FURTHER ORDERED that Mr. Barkan, Ms. Wang, and Ms. Sun are to comply with the 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. Barkan, Ms. Wang, and Ms. Sun are to be subject to the Office's disciplinary jurisdiction under 37 C.F.R.

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

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§ 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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