

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC., and
SAMSUNG AUSTIN SEMICONDUCTOR, LLC,
Petitioner,

v.

CHIEN-MIN SUNG,
Patent Owner.

IPR2024-00535
Patent 9,724,802 B2

Before BARRY L. GROSSMAN, GEORGE R. HOSKINS, and
FRANCES L. IPPOLITO, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

ORDER

Conditionally Granting Patent Owner's Motion for
Pro Hac Vice Admission of Peter A. Mazur
37 C.F.R. § 42.10

On June 16, 2025, Patent Owner filed a motion requesting *pro hac vice* admission of Peter A. Mazur in this proceeding. *See* Paper 35 (“Motion”). Patent Owner also submitted a Declaration from Mr. Mazur in support of the Motion. *See* Ex. 2019 (“Declaration”).¹

Patent Owner states Petitioner does not oppose the Motion. *See* Motion, at 1.

For the reasons provided below, Patent Owner’s Motion is *conditionally granted*.

In accordance with 37 C.F.R. § 42.10(c)(1), 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* 37 C.F.R. § 42.10(c)(1); Paper 8 (Notice of Filing Date Accorded to Petition), at 2; *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 Mr. Mazur has sufficient qualifications to represent Patent Owner in this proceeding, has demonstrated sufficient litigation experience and legal familiarity with the subject matter of this proceeding, and meets all other requirements for admission *pro hac vice*.

¹ Although Exhibit 2019 is captioned as an affidavit, it in fact is a declaration under 37 C.F.R. § 1.68.

See Declaration. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Mazur. Mr. Mazur will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c)(1).

Upon review of the record before us, we note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Mr. Mazur. Therefore, Patent Owner's Motion is *conditionally granted*, and is to be effective after Patent Owner files the aforementioned Power of Attorney.

Patent Owner also has not filed updated Mandatory Notices identifying Mr. Mazur as back-up counsel. Therefore, Patent Owner must file an updated Mandatory Notice identifying Mr. Mazur as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion (Paper 35) for *pro hac vice* admission of Peter A. Mazur is *conditionally granted*, provided that within fourteen (14) calendar days of the date of this order, Patent Owner submits a Power of Attorney for Peter A. Mazur in accordance with 37 C.F.R. § 42.10(b);²

FURTHER ORDERED that Patent Owner must file an updated Mandatory Notice identifying Mr. Mazur as back-up counsel in accordance

² In particular, Mr. Mazur may argue for Patent Owner during the oral argument scheduled for June 20, 2025, so long as the conditions imposed by this Order are satisfied timely either before or thereafter. If Mr. Mazur argues for Patent Owner but Patent Owner then fails to satisfy the conditions imposed by this Order in a timely fashion, Mr. Mazur's argument may be stricken from the record and not considered.

with 37 C.F.R. § 42.8(b)(3) within fourteen (14) calendar days of the date of this order;

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

FURTHER ORDERED that Mr. Mazur is authorized to represent Patent Owner as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Mazur be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide³ (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and comply with the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;⁴ and

FURTHER ORDERED that Mr. Mazur 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.*⁵

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

⁴ In the Motion and the Declaration, Mr. Mazur indicates he will comply with “*part 42* of the C.F.R.,” as opposed to *part 42 of Title 37* of the C.F.R. Motion, at 3 (emphasis added); Declaration ¶ 5. It is those latter rules to which Mr. Mazur will be adhere in this proceeding.

⁵ In the Motion, Patent Owner indicates Mr. Mazur will be subject to the “Code of Professional Responsibility set forth in 37. C.F.R. § 10.20 *et seq.*” Motion, at 3. However, the Declaration indicates correctly that Mr. Mazur will be subject to the USPTO Rules of Professional Responsibility / Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* See Declaration ¶ 6.

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