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Paper # 8
Entered: June 20, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VALVE CORPORATION,
Petitioner,

v.

IMMERSION CORPORATION,
Patent Owner.

IPR2024-00556 (Patent 8,749,507 B2)
IPR2024-00557 (Patent 10,665,067 B2)[1]

Before WILLIAM V. SAINDON, MICHAEL R. ZECHER, and CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

SAINDON, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motions for
Admission *Pro Hac Vice* of Nathan R. Speed
37 C.F.R. § 42.10(c)

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[1] This Order addresses the same issue for the above-identified proceedings. Therefore, we exercise our discretion to issue one order to be filed in each proceeding. The parties are not authorized to use this style heading in any subsequent papers.

Petitioner filed Motions requesting admission *pro hac vice* of Nathan R. Speed (Paper 8) in each of these proceedings (the "Motions" or "Mot.").[2] Petitioner submitted Declarations from Mr. Speed in support of the Motions. Ex. 1081. Petitioner attests that Patent Owner does not oppose the Motions. Motion 1. For the reasons provided below, Petitioner'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 (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. Speed has sufficient legal and technical qualifications to represent Petitioner in each of these proceedings, that Mr. Speed has demonstrated sufficient litigation experience and familiarity with the subject matter of each of these proceedings, and that Mr. Speed meets all other requirements for admission *pro hac vice*. *See* Ex. 1081. Accordingly, Petitioner has established good cause for admission *pro hac vice* of Mr. Speed. Mr. Speed will be permitted to appear *pro hac vice* as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

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[2] We cite to Papers and Exhibits in IPR2024-00556. Similar Papers and Exhibits were filed in IPR2024-00557.

Upon review of the record before us, we note that Petitioner filed Powers of Attorney including Mr. Speed in accordance with 37 C.F.R. § 42.10(b). Paper 1. Petitioner has also filed Mandatory Notices, included in the Petition, identifying Mr. Speed as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 2, xvi.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions (Paper 8) for admission *pro hac vice* of Nathan R. Speed in each of the above-identified proceedings are *granted;*

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

FURTHER ORDERED that Mr. Speed is authorized to represent Patent Owner as back-up counsel only in these proceedings;

FURTHER ORDERED that Mr. Speed shall comply with the Consolidated Trial Practice Guide[3] (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. Speed shall be 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*.

[3] *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated.

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