

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VALVE CORPORATION,
Petitioner,

v.

IMMERSION CORPORATION,
Patent Owner.

IPR2024-00557
Patent 10,665,067 B2

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

OGDEN, *Administrative Patent Judge*.

DECISION
Granting Patent Owner's Motion for
Pro Hac Vice Admission of Stefan Szpajda
37 C.F.R. § 42.10(c)

On March 28, 2025, Patent Owner filed a motion requesting *pro hac vice* admission of Stefan Szpajda. Paper 20 (“the Motion” or “Mot.”). The Motion is supported by a declaration of Mr. Szpajda. Ex. 2010 (“the Declaration”). Patent Owner indicates that the Motion is unopposed. Mot. 1.

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

We note that Patent Owner filed a Power of Attorney including Mr. Szpajda under 37 C.F.R. § 42.10(b). Paper 19. Patent Owner has not, however, submitted a Mandatory Notice identifying Mr. Szpajda as back-up counsel under 37 C.F.R. § 42.8(b)(3). *See* Paper 4.

¹ In paragraph 8 of the Declaration, Mr. Szpajda states that “I was previously admitted *Pro Hac Vice* by the PTAB in the following matter: IPR2016-00475.” Mr. Szpajda does not indicate whether he has applied for admission *pro hac vice* in any other proceedings in the past three years. In conjunction with paragraph 5, we take this to mean that Mr. Szpajda has not applied for admission *pro hac vice* in any other proceedings. We therefore deem this harmless error.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Stefan Szpajda is *granted*;

FURTHER ORDERED that Patent Owner must file updated mandatory notices identifying Mr. Szpajda as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

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

FURTHER ORDERED that Mr. Szpajda is authorized to represent Patent Owner as back-up counsel only;

FURTHER ORDERED that Mr. Szpajda be familiar with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide² (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. Szpajda 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.*

² Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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