

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC. and AMAZON.COM SERVICES LLC,
Petitioner,

v.

NOKIA TECHNOLOGIES OY,
Patent Owner.

IPR2024-00626 (Patent 11,805,267 B2)
IPR2024-00627 (Patent 11,805,267 B2)¹

Before GREGG I. ANDERSON, STEVEN M. AMUNDSON, and
JASON M. REPKO, *Administrative Patent Judges*.

REPKO, *Administrative Patent Judge*.

ORDER

Conditionally Granting Patent Owner's Motions for
Pro Hac Vice Admission of R. Mitch Verboncoeur
37 C.F.R. § 42.10

¹ The combined caption is used here to address an issue common to both proceedings. It does not indicate that IPR2024-00626 and IPR2024-00627 have been joined. Parties are not authorized to use this caption without express Board permission.

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On October 30, 2024, Patent Owner filed motions requesting *pro hac vice* admission of R. Mitch Verboncoeur. IPR2024-00626, Paper 16; IPR2024-00627, Paper 18 (collectively “Motions” or “Mot.”). Patent Owner also submitted declarations from R. Mitch Verboncoeur in support of the Motions. IPR2024-00626 & IPR2024-00627, Ex. 2014 (collectively “Declarations” or “Decl.”). According to Patent Owner, Petitioner does not oppose the Motions. Mot. 1.

For the reasons below, Patent Owner’s Motions are *conditionally granted*.

Under 37 C.F.R. § 42.10(c), the Board may recognize a non-registered practitioner as counsel *pro hac vice* upon a showing of good cause as long as lead counsel is a registered practitioner. To show good cause, the moving party must provide a statement of facts and an affidavit or declaration from the individual seeking admission. *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”).

Mr. Verboncoeur meets all requirements for admission *pro hac vice*. *See Decl.* Thus, Patent Owner has established good cause for *pro hac vice* admission of Mr. Verboncoeur.

The Motions, however, are *conditionally granted* because Patent Owner has not filed an updated Power of Attorney as required by 37 C.F.R. § 42.10(b). Mr. Verboncoeur is not already counsel of record. Patent Owner has provided a Power of Attorney for “all practitioners associated with McKool Smith, P.C., Customer Number 127134.” *See* IPR2024-00626 & IPR2024-00627, Paper 7. Because Mr. Verboncoeur is not registered practitioner, however, he is not associated with that customer number. Thus,

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as a condition for granting the Motion, Patent Owner must file an updated Power of Attorney in each proceeding on or before **December 4, 2024**.

Mr. Verboncoeur will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c). Under 37 C.F.R. § 42.8(b)(3), Patent Owner must identify lead and backup counsel. Patent Owner has not yet identified Mr. Verboncoeur as back-up counsel. Thus, Patent Owner must file updated Mandatory Notices.

ORDER

It is

ORDERED that Patent Owner's Motions for *pro hac vice* admission of R. Mitch Verboncoeur are *granted* upon Patent Owner submitting a Power of Attorney for Mr. Verboncoeur required by 37 C.F.R. § 42.10(b) on or before **December 4, 2024**;

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

FURTHER ORDERED that Patent Owner shall continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings;

FURTHER ORDERED that Mr. Verboncoeur is authorized to represent Patent Owner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Mr. Verboncoeur be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide² (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; and

FURTHER ORDERED that Mr. Verboncoeur 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 <https://www.uspto.gov/TrialPracticeGuideConsolidated>

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