

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FLUIDMASTER, INC.,
Petitioner,

v.

DANCO, INC.,
Patent Owner.

IPR2024-00633 (Patent 9,139,993 B1)
IPR2024-00634 (Patent 9,103,105 B1)
IPR2024-00635 (Patent 10,934,698 B1)¹

Before MEREDITH C. PETRAVICK, JAMES A. TARTAL, and
ROBERT J. SILVERMAN, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motions for
Pro Hac Vice Admission of Eric G. Maurer
37 C.F.R. § 42.10

¹ The combined caption is for administrative convenience only and does not indicate that IPR2024-00633, IPR2024-00634, and IPR2024-00635 have been joined. The parties are not authorized to use this caption without express Board permission.

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On May 29, 2024, Patent Owner filed motions requesting *pro hac vice* admission of Eric G. Maurer in each of the above-identified proceedings (collectively “Motions”). Paper 11.² Patent Owner also submitted declarations from Eric G. Maurer in support of the Motions (collectively “Declarations”). Ex. 2001.³ Petitioner has not opposed the Motions.

For the reasons provided below, Patent Owner’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. Maurer has sufficient legal and technical qualifications to represent Patent Owner in these proceedings, has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. *See* Ex. 2001. Accordingly, Patent Owner has established

² For purposes of expediency, we cite to Papers filed in IPR2024-00633. Patent Owner filed similar Motions in IPR2024-00634 (Paper 12) and IPR2024-00635 (Paper 11).

³ We cite to Exhibits filed in IPR2024-00633. Patent Owner filed similar Declarations in IPR2024-00634 (Ex. 2001) and IPR2024-00635 (Ex. 2001).

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good cause for *pro hac vice* admission of Mr. Maurer. Mr. Maurer will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner has filed a Power of Attorney including Mr. Maurer in accordance with 37 C.F.R. § 42.10(b). IPR2024-00633, Paper 5; IPR2024-00634, Paper 5; and IPR2024-00635, Paper 5. Patent Owner has also filed Mandatory Notices identifying Mr. Maurer as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). IPR2024-00633, Paper 4; IPR2024-00634, Paper 4; and IPR2024-00635, Paper 4.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Eric G. Maurer are *granted*;

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. Maurer is authorized to represent Patent Owner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Mr. Maurer be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide⁴ (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. Maurer 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.*

⁴ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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