

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATABRICKS, INC.,
Petitioner,

v.

R2 SOLUTIONS LLC,
Patent Owner.

IPR2024-00659
Patent 8,190,610 B2

Before KARL D. EASTHOM, KRISTEN L. DROESCH, and
BRIAN P. MURPHY, *Administrative Patent Judges*.

MURPHY, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for *Pro Hac Vice*
Admission of Michael J. Sacksteder and Vigen Salmastlian.
37 C.F.R. § 42.10

On April 25, 2024, Petitioner filed motions requesting *pro hac vice* admission of Michael J. Sacksteder and Vigen Salmastlian. Papers 9, 10. (“Motions”). Petitioner also submitted Declarations from Messrs. Sacksteder and Salmastlian in support of the Motions. Exs. 1028, 1029 (“Declarations”). Patent Owner has not opposed the Motions. 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 Messrs. Sacksteder and Salmastlian have sufficient legal and technical qualifications to represent Petitioner in this proceeding, have demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and meet all other requirements for admission *pro hac vice*. *See* Papers 9, 10; Exs. 1028, 1029. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Messrs. Sacksteder and Salmastlian.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions (Papers 9, 10) for *pro hac vice* admission of Michael J. Sacksteder and Vigen Salmastlian are *granted*;

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

FURTHER ORDERED that Messrs. Sacksteder and Salmastlian are authorized to represent Petitioner as back-up counsel only in this proceeding;

FURTHER ORDERED that Messrs. Sacksteder and Salmastlian be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide¹ (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 Regulations²; and

FURTHER ORDERED that Messrs. Sacksteder and Salmastlian are 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.*

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

² Messrs. Sacksteder and Salmastlian declare that they have read and will comply with "the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations" (Ex. 1028 ¶ 8; Ex. 1029 ¶ 8), instead of Part 42 of *Title 37* of the Code of Federal Regulations. We find this to be harmless error.

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