

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VIZIO, INC.,  
Petitioner,

v.

MULTIMEDIA TECHNOLOGIES PTE. LTD.,  
Patent Owner.

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IPR2024-00723  
Patent 9,578,384 B2

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Before ST. JOHN COURTENAY, III, ROBERT L. KINDER, and  
SHARON FENICK, *Administrative Patent Judges*.

FENICK, *Administrative Patent Judge*.

DECISION  
Granting Petitioner's Motion for *Pro Hac Vice*  
Admission of Ryan A. Hargrave,  
*37 C.F.R. § 42.10*

On January 10, 2025, Petitioner filed a motion requesting *pro hac vice* admission of Ryan A. Hargrave. Paper 18 (“the Motion”). The Motion is supported by a declaration of Ms. Hargrave. Ex. 1052 (“the Declaration”). Patent Owner has not filed an opposition to the Motion. After consideration of Petitioner’s Motion and Declaration, and for the reasons set forth below, the Motion is *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, 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 Ms. Hargrave has sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Ms. Hargrave has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Ms. Hargrave meets all other requirements for admission *pro hac vice*. *See* Ex. 1052 ¶¶ 1–10.<sup>1</sup>

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<sup>1</sup> *Unified Patents* indicates that “[a] motion for pro hac vice admission must: . . . Be accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following: . . . All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years.” *See Unified Patents*, Paper 7 at 3. Although the

Accordingly, Petitioner has established good cause for *pro hac vice* admission of Ms. Hargrave. Ms. Hargrave will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Petitioner filed a Power of Attorney including Ms. Hargrave in accordance with 37 C.F.R. § 42.10(b). Paper 2, 2. Petitioner has also submitted Mandatory Notices identifying Ms. Hargrave as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 14, 3.

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's Motion for *pro hac vice* admission of Ryan A. Hargrave (Paper 18) is *granted*;

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

FURTHER ORDERED that Ms. Hargrave is authorized to represent Petitioner as back-up counsel only;

FURTHER ORDERED that Ms. Hargrave shall be familiar with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide<sup>2</sup> (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

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Declaration of Ms. Hargrave identifies proceedings in which Ms. Hargrave has appeared *pro hac vice* in the last three years, the Declaration fails to identify all proceedings before the Office for which Ms. Hargrave has *applied* to appear *pro hac vice* in the last three years. *See* Ex. 1052 ¶ 8. We excuse this omission on this occasion.

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

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FURTHER ORDERED that Ms. Hargrave 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.*

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