

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AT&T MOBILITY LLC, AT&T SERVICES INC., ERICSSON INC.,  
NOKIA OF AMERICA CORPORATION, AND T-MOBILE USA, INC.,  
Petitioner,

v.

DAINGEAN TECHNOLOGIES LTD.,  
Patent Owner.

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IPR2024-00730  
Patent 11,196,509 B2

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Before CHRISTOPHER L. OGDEN, JOHN R. KENNY, and  
MARY C. HOFFMAN, *Administrative Patent Judges*.

KENNY, *Administrative Patent Judge*.

ORDER  
Granting Patent Owner's Motion for  
*Pro Hac Vice* Admission of Eric J. Enger  
37 C.F.R. § 42.10

On April 12, 2024, Patent Owner filed a motion requesting *pro hac vice* admission of Eric J. Enger. Paper 5 (“Motion” or “Mot.”). Patent Owner also submitted a Declaration from Eric J. Enger in support of the Motion. Ex. 2001 (“Declaration”). Petitioner has not opposed the Motion.

For the reasons provided below, Patent Owner’s 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 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”).<sup>1</sup>

Based on the facts set forth in the Motion and the accompanying Declaration (Ex. 2001), we conclude that Patent Owner has established good cause for *pro hac vice* admission of Mr. Enger. Mr. Enger 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. Enger in accordance with 37 C.F.R. § 42.10(b). Paper 4. Patent Owner has

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<sup>1</sup> The requirements include “filing *pro hac vice* motions . . . no sooner than twenty one (21) days after service of the petition, which is the time for filing patent owner mandatory notices.” *Unified Patents*, 2–3. Here, Patent Owner filed the Motion sooner than twenty one days after service of the Petition. However, sufficient time has elapsed since the Motion was filed to allow Petitioner the opportunity to respond. We therefore excuse this error on this occasion.

also filed a Mandatory Notice identifying Mr. Enger as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 3.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion (Paper 5) for *pro hac vice* admission of Eric J. Enger is *granted*;

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

FURTHER ORDERED that Mr. Enger is authorized to represent Patent Owner as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Enger comply with the Patent Trial and Appeal Board 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

FURTHER ORDERED that Mr. Enger 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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<sup>2</sup> Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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