Trials@uspto.gov
571.272.7822

Paper No. 7
Date: August 28, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

THETA IP, LLC,
Patent Owner.

IPR2024-00816 (Patent 7,010,330 B1)
IPR2024-00817 (Patent 10,129,825 B2)
IPR2024-00818 (Patent 10,524,202 B2)
IPR2024-00819 (Patent 11,564,164 B2)
IPR2024-00820 (Patent 11,638,210 B1)[1]

Before KARA L. SZPONDOWSKI, AARON W. MOORE, and RUSSELL E. CASS, *Administrative Patent Judges*.

PER CURIAM.

ORDER
Granting Patent Owner's Motions for *Pro Hac Vice*
Admission of Corey Johanningmeier
37 C.F.R. § 42.10

[1] This Order addresses issues that are the same in each of the above-identified proceedings. We issue one Order to be entered in each proceeding. The parties are not authorized to use this caption unless later permitted.

On August 8, 2024, Patent Owner filed a Motion for *Pro Hac Vice* Admission of Corey Johanningmeier in each of the above-identified proceedings. Paper 6.[2] The Motion in each proceeding is supported by a Declaration of Mr. Johanningmeier. Ex. 2001. Patent Owner indicates that Petitioner does not oppose the Motions. Paper 6, 1

Upon review of the record before us, we determine that the requirements of 37 C.F.R. § 42.10 have been met and there is good cause to admit Mr. Johanningmeier *pro hac vice*. In particular, Mr. Johanningmeier declares that he has "extensive experience litigating patent infringement cases" and is "very familiar with" the subject matter involved in the above-identified proceedings. Ex. 2001 ¶¶ 8, 9.[3]

It is, therefore,

ORDERED that Patent Owner's Motions for *Pro Hac Vice* Admission of Corey Johanningmeier are *granted*; Mr. Johanningmeier is authorized to act only as back-up counsel in the above-identified proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a

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[2] For expediency, we cite to IPR2024-00816, unless otherwise noted. Similar papers and exhibits were filed in the other proceedings identified above.

[3] In IPR2024-00818 and IPR2024-00820, Mr. Johanningmeier declares that he is familiar with "the '818 Patent" and "the '820 Patent," respectively. IPR2024-00818, Ex. 2001 ¶ 9; IPR2024-00820, Ex. 2001 ¶ 9. We deem this to be harmless error, and from context understand Mr. Johanningmeier to declare familiarity with the '202 and '210 patents at issue in the '818 and '820 proceedings.

registered practitioner represent it as lead counsel for the above-identified proceedings;

FURTHER ORDERED that Mr. Johanningmeier is to be familiar with the Consolidated Trial Practice Guide[4] (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. Johanningmeier is to be 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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PETITIONER:

Paul R. Hart
Adam P. Seitz
ERISE IP, P.A.
paul.hart@eriseip.com
adam.seitz@eriseip.com

PATENT OWNER:

Aaron R. Hand
BUNSOW DE MORY LLP
ahand@bdiplaw.com