

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

URT UMWELT UND RECYCLINGTECHNIK GMBH,
Petitioner,

v.

DUESENFELD GMBH,
Petitioner.

IPR2024-00887
Patent 11,050,097 B2

Before MEREDITH C. PETRAVICK, CHRISTOPHER M. KAISER, and
KEVIN W. CHERRY, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

ORDER
Conditionally Granting Patent Owner's Motion for
Pro Hac Vice Admission of Elvira Belle Borovik
37 C.F.R. § 42.10

On June 11, 2025, Patent Owner filed a motion (Paper 29, “Motion”) requesting *pro hac vice* admission of Elvira Belle Borovik. Patent Owner filed a declaration (Ex. 2060, “Declaration”) from Ms. Borovik in support of the Motion. Patent Owner states Petitioner was apprised and does not oppose. Motion 1.

In accordance with 37 C.F.R. § 42.10(c)(1), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. 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 Motion and the accompanying Declaration, we conclude that Ms. Borovik has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Ms. Borovik has demonstrated sufficient litigation experience and legal familiarity with the subject matter of this proceeding, and that Ms. Borovik meets all other requirements for admission *pro hac vice*. *See* Declaration ¶¶ 1–9.¹ Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Ms. Borovik.

Patent Owner has not filed a Power of Attorney identifying Ms. Borovik. *See* Papers 5, 14 (omitting Ms. Borovik). In view thereof, Patent Owner’s Motion

¹ In the Declaration, Ms. Borovik states that “I have read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of Title 37.” Ex. 2060 ¶ 7. The Trial Practice Guide is set forth in part 42 Title 37 of the Code of Federal Regulations (37 C.F.R.). We deem this harmless error.

is *conditionally granted*, and is to be effective after Patent Owner files the aforementioned Power of Attorney.

Patent Owner has not filed a Mandatory Notice identifying Ms. Borovik as back-up counsel. *See* Papers 4, 13 (omitting Ms. Borovik). Therefore, Patent Owner must file an updated mandatory notice identifying Ms. Borovik as a back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Elvira Belle Borovik is *conditionally granted* effective upon the filing of a Power of Attorney for Ms. Borovik in accordance with 37 C.F.R. § 42.10(b) and within ten (10) business days of the date of this order;

FURTHER ORDERED that Patent Owner must file an updated mandatory notice identifying Ms. Borovik as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Ms. Borovik will be authorized to act only as back-up counsel in the above-identified proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in these proceedings;

FURTHER ORDERED that Ms. Borovik be familiar with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide² (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

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

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FURTHER ORDERED that Ms. Borovik 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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