

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOTE, LLC,
Petitioner,

v.

TWITCH LLC,
Patent Owner.

IPR2024-00892
Patent 9,862,466 B2

Before BARRY L. GROSSMAN, CYNTHIA L. MURPHY, and
JASON W. MELVIN, *Administrative Patent Judges*.

MURPHY, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motion for *Pro Hac Vice* Admission
of Paul J. Bruene
37 C.F.R. § 42.10

On August 4, 2024, Petitioner filed a motion requesting *pro hac vice* admission of Paul J. Bruene. Paper 7. When we reviewed this motion, Petitioner had not submitted a Power of Attorney for Mr. Bruene in accordance with 37 C.F.R. § 42.10(b). On August 28, 2024, we *conditionally granted* Petitioner's motion provided that within ten (10) business days (i.e., by September 11, 2024) Petitioner submitted a Power of Attorney for Mr. Bruene in accordance with 37 C.F.R. § 42.10(b). Paper 9.

Petitioner submitted the required Power of Attorney on September 23, 2024. Paper 10. Petitioner explained in an email on October 8, 2024 that it had inadvertently missed the electronic notification that the Order had been entered, and that, upon realizing the error, it immediately submitted the updated Power of Attorney. Ex. 3001. Per Petitioner, Patent Owner was asked on October 2, 2024 whether it opposed the requested extension of time, but a response was not received. *Id.* And we are not aware of any prejudice to Patent Owner that would be caused by our accepting the late-filed Power of Attorney. Accordingly, we accept the Power of Attorney for Mr. Bruene submitted on September 23, 2024.¹ We stress, however, that going forward we expect Petitioner to comply with all due dates in this proceeding.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motion for *pro hac vice* admission of Paul J. Bruene is *granted*.

¹ Our previous order also set forth that Petitioner must file an updated mandatory notice identifying Mr. Bruene as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3), but did not set a due date for doing so. Paper 9. This notice was filed on September 23, 2024. Paper 11.

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