

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TEXAS INSTRUMENTS INCORPORATED,
Petitioner,

v.

PARKERVISION, INC.
Patent Owner.

IPR2024-00934
Patent 7,496,342 B2

Before MICHAEL R. ZECHER, BART A. GERSTENBLITH, and
IFTIKHAR AHMED, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

ORDER
Conditionally Granting Patent Owner's Motion for
Pro Hac Vice Admission of Taylor Lepore
37 C.F.R. § 42.10(c)

Patent Owner, ParkerVision, Inc. (“ParkerVision”), filed a motion requesting *pro hac vice* admission of Taylor Lepore (“Motion”). Paper 28. ParkerVision also submitted a Declaration from Ms. Lepore in support of the Motion (“Declaration”). Ex. 2046. ParkerVision represents that Petitioner, Texas Instruments Incorporated, does not oppose the Motion. Mot. 1.

For the reasons provided below, the Motion is *conditionally granted*. 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, subject to the condition that lead counsel be a registered practitioner. In authorizing a motion for *pro hac vice* admission, we require the moving party to provide a statement of facts showing there is good cause for us 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. Lepore has sufficient litigation experience and legal familiarity with the subject matter of this proceeding. Upon review of the record, however, we note a discrepancy in which Ms. Lepore declares she has not applied to appear *pro hac vice* in any other proceedings before the Office in the last three years. Ex. 2046 ¶ 8; *see also* Motion 2 (stating “Ms. Lepore has not applied to appear *pro hac vice* in any other proceeding before the Office in the last three years”). To the contrary, we are aware that Ms. Lepore has applied to appear *pro hac vice* in at least two related cases—IPR2024-00935 (Paper 28) and IPR2024-00936 (Paper 27).

Upon further review of the record, we also note that a power of attorney in accordance with 37 C.F.R. § 42.10(b) has not been filed for Ms. Lepore.

Based on the foregoing, ParkerVision's Motion is *conditionally granted*, effective upon Ms. Lepore submitting an updated declaration with accurate information as to all other proceedings for which she has applied to appear *pro hac vice* before the Office in the last three years, and ParkerVision filing the aforementioned power of attorney.

In addition, ParkerVision has not filed updated mandatory notices identifying Ms. Lepore as back-up counsel. Therefore, ParkerVision must file an updated mandatory notice identifying Ms. Lepore as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that ParkerVision's Motion for *pro hac vice* admission of Taylor Lepore is *conditionally granted*, provided that within ten (10) business days of entry of this Order, Ms. Lepore submits a corrected declaration, and ParkerVision files a power of attorney for Ms. Lepore in accordance with 37 C.F.R. § 42.10(b);

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

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

FURTHER ORDERED that Ms. Lepore is authorized to represent ParkerVision as back-up counsel only in this proceeding;

FURTHER ORDERED that Ms. Lepore be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide (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

FURTHER ORDERED that Ms. Lepore 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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