

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KIA CORP. and TOYOTA MOTOR CORP.,
Petitioner,

v.

EMERGING AUTOMOTIVE LLC,
Patent Owner.

IPR2024-00981 (Patent 9,365,188 B1)
IPR2024-01167 (Patent 11,738,659 B2)¹

Before GEORGIANNA W. BRADEN, BARBARA A. PARVIS, and
FRANCES L. IPPOLITO, *Administrative Patent Judges*.

BRADEN, *Administrative Patent Judge*.

ORDER

Conditionally Granting Petitioner's Unopposed Motions for
Pro Hac Vice Admission of Ron Hagiz
37 C.F.R. § 42.10

¹ The combined caption is for administrative convenience only and does not indicate that IPR2024-00981 and IPR2024-01167 have been joined. Parties are not authorized to use this caption without express Board permission.

On June 12, 2025, Petitioner filed motions requesting *pro hac vice* admission of Ron Hagiz in each of the above-identified proceedings (collectively “Motions”). Paper 17.² Petitioner also submitted declarations from Ron Hagiz in support of the Motions (collectively “Declarations”³). Paper 17, 4–6.⁴ Petitioner attests that Patent Owner does not oppose the Motions. Mot. 1.

For the reasons provided below, Petitioner’s Motions are *conditionally granted*.

In accordance with 37 C.F.R. § 42.10(c)(1), 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* 37 C.F.R. § 42(c)(1); *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”).

² For purposes of expediency, we cite to Papers filed in IPR2024-00981. Petitioner filed a similar Motion in IPR2024-01167 (Paper 18).

³ Petitioner included the Declarations in the Motions (as the latter half of the Motions). We excuse this mistake; however, Petitioner is reminded that affidavits and declarations must be filed as exhibits. *See* 37 C.F.R. § 42.63(a) (“Evidence consists of affidavits, transcripts of depositions, documents, and things. All evidence must be filed in the form of an exhibit.”).

⁴ We cite to the Declaration filed in IPR2024-00981. Petitioner filed a similar Declaration in IPR2024-01167 (attached as pages 4–6 of the Motion).

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Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Hagiz has sufficient qualifications to represent Petitioner in these proceedings, has demonstrated sufficient litigation experience and legal familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. See Declarations. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Hagiz. Mr. Hagiz will be permitted to serve as back-up counsel only. See 37 C.F.R. § 42.10(c)(1).

Upon review of the record before us, we note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Mr. Hagiz. Therefore, Petitioner's Motions are *conditionally granted*, and will be effective only after Petitioner files the aforementioned Power of Attorney.

We further note that Petitioner has filed Mandatory Notices in IPR2024-01167 identifying Mr. Hagiz as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). See IPR2024-01167, Paper 3, 75. Petitioner, however, has not filed updated Mandatory Notices identifying Mr. Hagiz as back-up counsel in IPR2024-00981. Therefore, Petitioner must file updated Mandatory Notices in IPR2024-00981 identifying Mr. Hagiz 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 Petitioner's Motions for *pro hac vice* admission of Ron Hagiz are *conditionally granted*, provided that within ten (10) business days of the date of this order, Petitioner submits a Power of Attorney for Mr. Hagiz in accordance with 37 C.F.R. § 42.10(b);

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FURTHER ORDERED that Petitioner must file an updated Mandatory Notice in IPR2024-00981 identifying Mr. Hagiz as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Petitioner shall continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings;

FURTHER ORDERED that Mr. Hagiz is authorized to represent Petitioner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Mr. Hagiz be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide⁵ (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 Mr. Hagiz 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.*

⁵ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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FOR PETITIONER:

James Glass
Quincy Lu
Brett Watkins
Ron Hagiz
QUINN EMANUEL URQUHART & SULLIVAN, LLP
jimglass@quinnemanuel.com
quincylu@quinnemanuel.com
brettwatkins@quinnemanuel.com
ronhagiz@quinnemanuel.com

Joshua Goldberg
James Barney
Aidan Skoyles
Nicholas Eitsert
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP
joshua.goldberg@finnegan.com
james.barney@finnegan.com
aidan.skoyles@finnegan.com
nicholas.eitsert@finnegan.com

FOR PATENT OWNER:

Jerry Tice
Aaron Hand
Brenda Entzminger
BUNSOW DE MORY LLP
jtice@bdiplaw.com
ahand@bdiplaw.com
bentzminger@bdiplaw.com