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Paper 22
Date: March 24, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARASHI VISION (U.S.) LLC (D/B/A INSTA360),
Petitioner,

v.

GOPRO, INC.,
Patent Owner.

IPR2024-00984 (Patent 10,015,413 B1)
IPR2024-01052 (Patent 11,336,832 B1)
IPR2024-01164 (Patent 10,958,840 B2)
IPR2024-01165 (Patent 10,958,840 B2)
IPR2024-01186 (Patent 10,574,894 B2)[1]

Before WILLIAM V. SAINDON, NABEEL U. KHAN, and
BRIAN D. RANGE, *Administrative Patent Judges*.

PER CURIAM.

ORDER
Granting Patent Owner's Motions for *Pro Hac Vice*
Admission of Patrick T. Schmidt
37 C.F.R. § 42.10

[1] This Order addresses similar issues in the above-identified proceedings. We issue one Order to be filed in each proceeding. The parties are not authorized to use this caption without express permission of the Board.

On March 14, 2025, Patent Owner filed a Motion for *Pro Hac Vice* Admission of Patrick T. Schmidt in each of the above-captioned proceedings. Paper 16 ("Motion").[2] Patent Owner also filed a Declaration of Schmidt in support of the Motion. Ex. 2023 ("Declaration"). The Motion does not state if it is opposed, but Petitioner has not filed an opposition.[3] For the reasons provided below, the Motion is *granted*.

In accordance with 37 C.F.R. § 42.10(c), 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. The representative Order authorizing motions for *pro hac vice* admission requires 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. *See* Paper 3, 2 (citing *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 Schmidt has sufficient legal and technical qualifications to represent Patent Owner in the above-captioned proceedings, that Schmidt has demonstrated sufficient familiarity with the subject matter

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[2] For expediency, we cite to the Motion and Declaration filed in IPR2024-00984, unless otherwise noted. Patent Owner filed a similar Motion and Declaration in each of the other proceedings.

[3] *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7, 3 (PTAB Oct. 15, 2013) ("Parties seeking to oppose a motion for *pro hac vice* admission must file their opposition no later than one week after the filing of the underlying motion").

of the proceedings, and that Schmidt meets all other requirements for admission *pro hac vice*. We further conclude that Patent Owner's interest in being represented in the above-captioned proceedings by counsel with litigation experience weighs in favor of granting the Motion. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Schmidt. Schmidt will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner submitted a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) for Schmidt. Paper 3, 2.[4] In addition, Patent Owner's mandatory notices identify Schmidt as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 4, 3.

ORDER

Accordingly, it is:

ORDERED that Patent Owner's Motion for *Pro Hac Vice* Admission of Patrick T. Schmidt in each of the above-captioned proceedings (IPR2024-00984, Paper 16; IPR2024-01052, Paper 14; IPR2024-01164, Paper 15; IPR2024-01165, Paper 15; and IPR2024-01186, Paper 12) is *granted*;

FURTHER ORDERED that Schmidt is authorized to represent Patent Owner only as back-up counsel in the above-captioned proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel in the above-captioned proceedings;

[4] We note that Paper 3 lacks page numbers. We cite to pages of Paper 3 as if numbered consecutively, beginning with the cover page

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FURTHER ORDERED that Schmidt is to comply with the Consolidated Trial Practice Guide[5] (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.; and

FURTHER ORDERED that Schmidt shall 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.*

[5] *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated.

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