UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.

Petitioners

v.

STATON TECHIYA, LLC

Patent Owner

Case No. IPR2024-01004
Patent No. 11,710,473

PATENT OWNER STATON TECHIYA, LLC'S MOTION FOR THE *PRO HAC VICE* ADMISSION OF ROY FALIK

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313–1450

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Staton Techiya, LLC("Techiya") respectfully moves the Patent Trial & Appeal Board ("Board") for Roy Falik, Esq. (King & Spalding LLP, 1401 Lawrence Street, Suite 1900, Denver, CO 80202, (720) 535-2343, Email: rfalik@kslaw.com) to be admitted as counsel in the above captioned proceeding. Patent Owner files this Motion for Admission *Pro Hac Vice* in accordance with the Board's June 18, 2024, Notice of Filing Date (Paper 7) and 37 C.F.R. §§ 42.10(c) and 42.22

II. GOVERNING LAW, RULES, AND PRECEDENT FOR *PRO HAC VICE* ADMISSION

The Board is authorized to recognize counsel *pro hac vice* pursuant to 37 C.F.R. § 42.10(c), which provides that:

> 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 and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

The Board has stated that a motion for admission *pro hac vice* should include a "statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding" and "[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following:

i. Membership in good standing of the Bar of at least one State or the District of Columbia;

ii. No suspensions or disbarments from practice before any court or administrative body;

iii. No application for admission to practice before any court or administrative body ever denied;

iv. No sanctions or contempt citations imposed by any court or administrative body;

v. The individual seeking to appear has 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 37 C.F.R.;

vi. The individual will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);

vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and

viii. Familiarity with the subject matter at issue in the proceeding." *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR 2013-00639 (MPT) (Paper 7 at 3-4).

III. STATEMENT OF FACTS

Based on the following facts, supported by Mr. Falik's declaration, Patent Owner Techiya respectfully requests that Mr. Falik be admitted *pro hac vice* in this proceeding. As an initial matter, Techiya's lead counsel in this matter, James P. Brogan (Reg. No. 35,833), is a registered practitioner and is actively participating in this IPR. 37 C.F.R. § 42.10(c). Mr. Falik is concurrently applying to appear *pro hac vice* in IPR2024-01003.

A. Mr. Roy Falik Meets The Requirements for Admission *Pro Hac Vice*

1. Mr. Falik has almost 19 months of experience as a licensed litigation attorney specializing in patent litigation, representing clients in patent litigation matters in various United States District. All of these matters involved intellectual property disputes covering complex technology.
2. Mr. Falik is very familiar with U.S. Patent No. 11,710,473, and with the legal subject matter, technical subject matter, and prior art discussed in Petitioner's Request for *Inter Partes* Review of U.S. Patent No. 11,710,473. Mr. Falik is counsel in the parallel district court litigation involving this

patent and was involved with the technical analysis of the validity and infringement of this patent.

3. Mr. Falik is a member in good standing of the Bars of Texas and Colorado.

4. Mr. Falik has never been suspended or disbarred from practice before any court or administrative body.

5. Mr. Falik has never had a court or administrative body deny an application for admission to practice.

6. Mr. Falik has never been sanctioned or cited for contempt by any court or administrative body.

7. Mr. Falik has 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 37 C.F.R.

8. Mr. Falik agrees to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq*. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

9. In the past 19 months, Mr. Falik has not applied to be admitted *pro hac vice* as counsel before the PTAB in any actions.

The required fee of $250 under 37 C.F.R. 42.15(e) for *pro hac vice* admission of Mr. Falik will be paid via Customer Number 154690, Deposit Account No. 602656.

VI. CONCLUSION

For the foregoing reasons, Techiya respectfully requests that Roy Falik be admitted *pro hac vice*.

Respectfully submitted,

KING & SPALDING LLP

BY: */James P. Brogan/*

James P. Brogan (Reg. No. 35,833)

Attorney for Patent Owner
Techiya, Inc.

Date: July 5, 2024
1401 Lawrence Street, Suite 1900
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Telephone: (720) 535-2312

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R § 42.6(e), the undersigned hereby certifies that the foregoing **PATENT OWNER TECHIYA INC.'S MOTION FOR THE PRO HAC VICE ADMISSION OF ROY FALIK AND EXHIBIT 2001** was served by filing these documents through the Patent Trial and Appeal Case Tracking System (P-TACTS) as well as by delivering a copy via electronic mail on July 5, 2024, in the entirety on the following:

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