

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., and
HARMAN INTERNATIONAL INDUSTRIES, INC.,
Petitioners,

v.

STATON TECHIYA, LLC,
Patent Owner.

IPR2024-01031 (Patent 11,659,315 B2)
IPR2024-01032 (Patent 11,683,643 B2)¹

Before KEVIN F. TURNER, MONICA S. ULLAGADDI, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motions for
Pro Hac Vice Admission of Roy Falik
37 C.F.R. § 42.10(c)

¹ This Order addresses substantively identical motions filed in each of the above-captioned proceedings. We exercise our discretion to issue one Order to cover all proceedings. The combined caption is for administrative convenience only and does not indicate that IPR2024-01031 and IPR2024-01032 have been joined. The parties are not authorized to use this caption without express permission of the Board.

IPR2024-01031 (Patent 11,659,315 B2)
IPR2024-01032 (Patent 11,683,643 B2)

Patent Owner filed Motions for *Pro Hac Vice* Admission of Roy Falik (Paper 7²) in the above-captioned proceedings. Patent Owner also submitted Declarations of Roy Falik (Ex. 2001) in support of the Motions. For the reasons provided below, Patent Owner's Motions are *granted*.

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

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Falik has sufficient legal and technical qualifications to represent Patent Owner in the above-captioned proceedings, has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. *See* Ex. 2001 ¶¶ 1–10. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Falik. Mr. Falik will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

² This Order cites to papers and exhibits filed in IPR2024-01031. Corresponding items were filed in IPR2024-01032.

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We note that Patent Owner filed a Power of Attorney including Mr. Falik in accordance with 37 C.F.R. § 42.10(b). Paper 6. Patent Owner has filed a mandatory notice identifying Mr. Falik as a back-up attorney in accordance with 37 C.F.R. § 42.8(b)(3). Paper 5.

Accordingly, it is

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Mr. Falik in the above-captioned proceedings are *granted*;

FURTHER ORDERED that Patent Owner continue to have a registered practitioner represent it as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Falik is authorized to act as back-up counsel only in these proceedings;

FURTHER ORDERED that Mr. Falik be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019))³ 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. Falik 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.*⁴

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

⁴ Mr. Falik states he will be subject to the USPTO "Code of Professional Responsibility" (Ex. 2001 ¶ 10) rather than the USPTO "Rules of Professional Conduct." We excuse these occurrences in this instance.

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