

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.

IPR2024-01003 (Patent 11,710,473)
IPR2024-01004 (Patent 11,710,473)
IPR2024-01033 (Patent 11,750,965)¹

Before NATHAN A. ENGELS, MONICA S. ULLAGADDI, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

ULLAGADDI, *Administrative Patent Judge*.

ORDER

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

¹ This Order addresses the same issue for the above-identified proceedings. Therefore, we exercise our discretion to issue one order to be filed in each proceeding. The parties are not authorized to use this style heading in any subsequent papers.

IPR2024-01003 (Patent 11,710,473)

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Patent Owner filed Motions requesting admission *pro hac vice* of Roy Falik (Paper 8) in each of these proceedings (the “Motion” or “Mot.”).² Patent Owner submitted Declarations from Mr. Falik in support of the Motions. Ex. 2001. Petitioners have not opposed the Motions. For the reasons provided below, Patent Owner’s Motions are *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 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*, Case IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (setting forth the requirements for admission *pro hac vice*).

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 each of these proceedings, that Mr. Falik has demonstrated sufficient litigation experience and familiarity with the subject matter of each of these proceedings, and that Mr. Falik meets all other requirements for admission *pro hac vice*. *See* Motion 3–4,

² We cite to Papers and Exhibits in IPR2024-01003. Similar items were filed in IPR2024-01004 and in IPR2024-01033.

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Ex. 2001 ¶¶ 1–11.³ Accordingly, Patent Owner has established good cause for admission *pro hac vice* of Mr. Falik. Mr. Falik will be permitted to appear *pro hac vice* as back-up counsel only. See 37 C.F.R. § 42.10(c).

We note that Patent Owner filed Powers of Attorney including Mr. Falik in accordance with 37 C.F.R. § 42.10(b). Paper 6. Patent Owner has also filed Mandatory Notices, identifying Mr. Falik as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 7.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner’s Motions (Paper 8) for admission *pro hac vice* of Roy Falik in each of the above-identified proceedings are *granted*;

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

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

FURTHER ORDERED that Mr. Falik shall comply with the Consolidated Trial Practice Guide⁴ (84 Fed. Reg. 64,280 (Nov. 21, 2019)) and the Board’s Rules of Practice for Trials as set forth in Part 42 of Title 37, Code of Federal Regulations; and

³ Mr. Falik declares he will 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.*,” rather than the *USPTO Rules of Professional Conduct* set forth in 37 C.F.R. §§ 11.101 *et seq.* Ex. 2001 ¶ 10. We deem this to be harmless error.

⁴ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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FURTHER ORDERED that Mr. Falik 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.*

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FOR PETITIONERS:

Ali Sharifahmadian

Ali.sharifahmadian@arnoldporter.com

Jeffrey Miller

jmillerptab@apks.com

Patrick Reidy

Patrick.reidy@arnoldporter.com

FOR PATENT OWNER:

James P. Brogan

KING & SPALDING LLP

Email: jbrogan@kslaw.com

Ojeiku Aisiku

KING & SPALDING LLP

Email: oaisiku@kslaw.com

Roy Falik

KING & SPALDING LLP

Email: rfalik@kslaw.com