

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS, AMERICA, INC.,  
HARMAN INTERNATIONAL INDUSTRIES, INC.,  
Petitioner,

v.

STATON TECHIYA, LLC,  
Patent Owner.

---

IPR2024-01034  
Patent 11,665,493 B2

---

Before GEORGE R. HOSKINS, MONICA S. ULLAGADDI, and  
RUSSELL E. CASS, *Administrative Patent Judges*.

CASS, *Administrative Patent Judge*.

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

On July 18, 2024, Patent Owner filed a motion requesting *pro hac vice* admission of Roy Falik. Paper 8 (“the Motion”). The Motion is supported by a declaration of Mr. Falik. Ex. 2001 (“the Declaration”). Petitioner has not filed an opposition to the Motion.

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 Motion and the accompanying Declaration, we conclude that Mr. Falik has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Mr. Falik has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Mr. Falik meets all other

requirements for admission *pro hac vice*. See Ex. 2001 ¶¶ 1–11.<sup>1, 2, 3</sup>

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).

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

---

<sup>1</sup> The requirements include “filing *pro hac vice* motions . . . no sooner than twenty one (21) days after service of the petition, which is the time for filing patent owner mandatory notices.” *Unified Patents*, 2–3. Here, Patent Owner filed the Motion sooner than twenty one days after service of the Petition, and two days after the filing of Patent Owner Mandatory Notices. Sufficient time has elapsed since the Motion was filed to allow Petitioner the opportunity to respond. We therefore deem the timing of the Motion to be harmless error.

<sup>2</sup> In paragraph 11 of the Declaration, Mr. Falik states that “[i]n the past 19 months, I have not applied to be admitted *pro hac vice* as counsel before the PTAB in any actions.” However, Mr. Falik does not indicate whether he has applied for admission *pro hac vice* in the past three years. See *Unified Patents*, 3. Given that the Motion indicates that Mr. Falik has been practicing as a litigation attorney for “almost 19 months,” we take this to mean that Mr. Falik has never applied for admission *pro hac vice* prior to the Motion. We therefore deem this harmless error.

<sup>3</sup> Mr. Falik declares that 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 harmless error.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Roy Falik is *granted*;

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

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

FURTHER ORDERED that Mr. Falik shall comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide<sup>4</sup> (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

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.*

---

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

IPR2024-01034  
Patent 11,665,493 B2

For PETITIONER:

For Samsung Electronics Co., Ltd.  
Jeffrey Miller  
Ali Sharifahmadian  
Patrick Reidy  
ARNOLD & PORTER KAYE SCHOLER LLP  
jeffrey.miller@apks.com  
ali.sharifahmadian@arnoldporter.com  
patrick.reidy@arnoldporter.com

For Harman International Industries, Inc.  
James Davis  
Alexander Middleton  
ROPES & GRAY LLP  
james.l.davis@ropesgray.com  
alexander.middleton@ropesgray.com

For PATENT OWNER:

James Brogan  
Ojeiku Aisiku  
KING & SPALDING LLP  
jbrogan@kslaw.com  
oaisiku@kslaw.com