

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

SMITH INTERFACE TECHNOLOGIES, LLC,
Patent Owner.

IPR2024-01091
Patent 10,936,114 B1

Before JAMESON LEE, JEFFREY S. SMITH,
and MIRIAM L. QUINN, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

ORDER
Conditionally Granting Patent Owner's Motion for
Admission *Pro Hac Vice* of
Arthur P. Licygiewicz
37 C.F.R. § 42.10

On April 8, 2025, Patent Owner, Smith Interface Technologies, LLC (“Patent Owner”), filed a Motion requesting admission *pro hac vice* of Arthur P. Licygiewicz. Paper 15 (“Motion”). The Motion relies on a Declaration from Mr. Licygiewicz. Ex. 2007. Patent Owner attests that Petitioner does not oppose the motions. Motion 3.

Patent Owner filed an Updated Mandatory Notice, identifying Mr. Licygiewicz as back-up counsel, as required by 37 C.F.R. § 42.8(b)(3). Paper 16. However, Patent Owner has not submitted a Power of Attorney for Mr. Licygiewicz in accordance with 37 C.F.R. § 42.10(b). In view thereof, and for the reasons provided below, Patent Owner’s Motions are *conditionally granted*, and are to be effective immediately after Patent Owner files the aforementioned Power of Attorney.

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. In authorizing a motion for admission *pro hac vice*, 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*, 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 Motion and the accompanying Declaration, we conclude that Mr. Licygiewicz has sufficient legal and technical qualifications to represent Patent Owner in the above-identified proceedings, that Mr. Licygiewicz has demonstrated sufficient litigation experience and familiarity with the subject matter of the above-identified proceedings, and that Mr. Licygiewicz meets all other requirements for

admission *pro hac vice*. See Ex. 2007 ¶¶ 1–10. Accordingly, Patent Owner has established good cause for admission *pro hac vice* of Mr. Licygiewicz. Mr. Licygiewicz will be permitted to appear *pro hac vice* as back-up counsel only. See 37 C.F.R. § 42.10(c).

Accordingly, it is

ORDERED that Patent Owner’s Motion (Paper 15) for admission *pro hac vice* of Arthur P. Licygiewicz in the above-identified proceedings is *conditionally granted*, provided that within ten (10) business days of the date of this order, Patent Owner submits a Power of Attorney for Mr. Licygiewicz in accordance with 37 C.F.R. § 42.10(b) in this proceeding;

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. Licygiewicz is authorized to represent Patent Owner as back-up counsel only in these proceedings;

FURTHER ORDERED that Mr. Licygiewicz be familiar with the Consolidated Trial Practice Guide, 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. Licygiewicz 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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