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Paper: 11
Entered: December 11, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DR. SQUATCH, LLC,
Petitioner,

v.

THE PROCTER & GAMBLE COMPANY,
Patent Owner.

IPR2024-01104 (Patent 11,540,999 B2)
IPR2024-01105 (Patent 10,966,915 B2)
IPR2024-01173 (Patent 10,905,647 B2)
IPR2024-01174 (Patent 11,497,706 B2)

Before JOHN G. NEW, SHERIDAN K. SNEDDEN, and SUSAN L. C. MITCHELL, *Administrative Patent Judges*.

PER CURIAM.

ORDER[1]
Granting Patent Owner's Motions for
Pro Hac Vice Admission of Andrea Weiss Jeffries
37 C.F.R. § 42.10

[1] The combined caption is for administrative convenience only and does not indicate that IPR2024-01104, IPR2024-01105, IPR2024-01173, and IPR2024-01174 have been joined. The parties are not authorized to use this caption without express permission of the Board.

On September 27, 2024, Patent Owner filed motions requesting *pro hac vice* admission of Andrea Weiss Jeffries in each of the above-identified proceedings (collectively "Motions"). Paper 6.[2] Patent Owner also submitted Affidavits from Andrea Weiss Jeffries in support of the Motions (collectively "Affidavits"). *Id.* (Ex. A.)[3], [4]

Patent Owner attests that Petitioner does not oppose the Motions. Paper 6 (Ex. A, ¶ 15).

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

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[2] For purposes of expediency, we cite to Papers filed in IPR2024-01104. Patent Owner filed similar Motions in IPR2024-01105 (Paper 6), IPR2024-01173 (Paper 6), and IPR2024-01174 (Paper 7).

[3] We cite to Exhibit A of Paper 6 filed in IPR2024-01104. Patent Owner filed similar Affidavits in IPR2024-01105 (Paper 6 (Ex. A)), IPR2024-01173 (Paper 6 (Ex. A)), and IPR2024-01174 (Paper 7 (Ex. A)). Patent Owner filed the Affidavit as Exhibit A of a Paper. We excuse this mistake on this occasion, but remind Patent Owner that affidavits and declarations must be filed separately from papers as exhibits. *See* 37 C.F.R. § 42.63(a) ("Evidence consists of affidavits, transcripts of depositions, documents, and things. All evidence must be filed in the form of an exhibit.").

[4] Although Andrea Weiss Jeffries states she has presented an affidavit at paragraph 1 of Exhibit A of Paper 6, Exhibit A is in fact a declaration under 37 C.F.R. § 1.68, not an affidavit (which requires the seal and signature of a notarial officer).

of the individual seeking to appear in the proceeding. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative "Order – Authorizing Motion for *Pro Hac Vice* Admission").

Based on the facts set forth in the Motions and the accompanying Affidavits, we conclude that Ms. Jeffries has sufficient legal and technical qualifications to represent Patent Owner in these 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* Paper 6 (Ex. A, ¶¶ 3–14). Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Ms. Jeffries. Ms. Jeffries will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed Powers of Attorney including Ms. Jeffries in accordance with 37 C.F.R. § 42.10(b). IPR2024-01104 (Paper 3), IPR2024-01105 (Paper 3), IPR2024-01173 (Paper 4), and IPR2024-01174 (Paper 5). Patent Owner has also filed Mandatory Notices identifying Ms. Jeffries as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). IPR2024-01104 (Paper 4), IPR2024-01105 (Paper 4), IPR2024-01173 (Paper 5), and IPR2024-01174 (Paper 6).

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Andrea Weiss Jeffries are *granted*;

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

FURTHER ORDERED that Ms. Jeffries is authorized to represent Patent Owner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Ms. Jeffries be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide[5] (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and comply with the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;[6] and

FURTHER ORDERED that Ms. Jeffries 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.*

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[5] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

[6] In the Affidavit, Ms. Jeffries indicates compliance with the Board's Rules of Practice for Trials *set forth in part 42 of the C.F.R.* (as opposed to *part 42 of 37 C.F.R.*). *See* Paper 6 (Ex. A, ¶ 8). We excuse this mistake on this occasion, but remind Ms. Jeffries that the Board's Rules of Practice for Trials are set forth in *Part 42 of 37 C.F.R.*, and it is those rules to which Ms. Jeffries will be subject.

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