

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REED SEMICONDUCTOR CORP.,
Petitioner,

v.

MONOLITHIC POWER SYSTEMS, INC.,
Patent Owner.

IPR2024-01158
Patent 9,041,377 B2

Before KARL D. EASTHOM, KEN B. BARRETT, and
LARRY J. HUME, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge*.

ORDER
Conditionally Granting Petitioner's
Unopposed Motion to Substitute and Withdraw Counsel
37 C.F.R. § 42.10

Reed Semiconductor Corp. (“Petitioner”) filed a Motion requesting authorization to Substitute and Withdraw Counsel in the above-listed proceeding (“Motion”). Paper 10. Pursuant to 37 C.F.R. § 42.10, the Motion requests withdrawal of lead counsel Ryan N. Miller and backup counsel Lawrence T. Hoff, each of Fox Rothschild LLP, and the substitution of Andrew J. Gray IV (Reg. No. 41,796) as new lead counsel, and Andrew V. Devkar (Reg. No. 76,671), Calvin M. Brien (Reg. No. 76,203), and Phillip D. Wolfe (Reg. No. 77,698) as new backup counsel, each of Morgan Lewis & Bockius LLP. Motion 2, 3.

Petitioner indicates that on February 5, 2025, Petitioner “filed a Power of Attorney and Updated Mandatory Notices designating Andrew J. Gray IV . . . , Andrew V. Devkar . . . , Calvin M. Brien . . . , and Phillip D. Wolfe . . . as back-up counsel.” *Id.* at 3. Petitioner also indicates that Petitioner is “filing herewith an Updated Mandatory Notices designating Andrew J. Gray IV . . . as lead counsel, and Andrew V. Devkar . . . , Calvin M. Brien . . . , and Phillip D. Wolfe . . . as back-up counsel.” *Id.*

Authorization for this motion was previously given via email. *Id.* at 2. Petitioner indicates that Patent Owner does not oppose the Motion. *Id.*

A party represented by counsel must designate a lead counsel and at least one backup counsel. 37 C.F.R. § 42.10(a). In addition, counsel may not withdraw from an *inter partes* review proceeding unless the Board authorizes such withdrawal. 37 C.F.R. § 42.10(e). Notwithstanding Petitioner’s representations that Mr. Gray is new lead counsel, no mandatory notice has been filed to reflect the designation of Mr. Gray as lead counsel. Paper 8, 1. Mr. Miller, currently designated as lead counsel for Petitioner under 37 C.F.R. § 42.8(b)(3), will remain as such until new lead counsel is identified by an appropriate mandatory notice.

Under these circumstances, we conditionally grant Petitioner's Motion. Mr. Miller will be authorized to withdraw as lead counsel effective upon Petitioner's filing of a updated mandatory notice identifying Mr. Gray as lead counsel.

It is ORDERED that the Petitioner's Motion for Substitution and Withdrawal of Counsel is *conditionally granted*, provided that, within ten (10) business days of the date of this order, Petitioner submits an updated mandatory notice identifying new lead counsel in accordance with 37 C.F.R. § 42.8(b)(3) in the above-identified proceeding;

FURTHER ORDERED that lead counsel Ryan N. Miller shall be withdrawn from this proceeding, effective upon Petitioner's filing of an updated mandatory notice identifying new lead counsel;

FURTHER ORDERED that backup Lawrence T. Hoff shall be withdrawn from this proceeding; and

FURTHER ORDERED that Andrew J. Gray IV, Andrew V. Devkar, Calvin M. Brien, and Phillip D. Wolfe remain as backup counsel.

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PETITIONER:

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