

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARASHI VISION (U.S.) LLC (D/B/A INSTA360),
Petitioner,

v.

GOPRO, INC.,
Patent Owner.

IPR2024-00984 (Patent 10,015,413 B1)
IPR2024-01052 (Patent 11,336,832 B1)
IPR2024-01164 (Patent 10,958,840 B2)
IPR2024-01165 (Patent 10,958,840 B2)
IPR2024-01186 (Patent 10,574,894 B2)¹

Before WILLIAM V. SAINDON, NABEEL U. KHAN, and
BRIAN D. RANGE, *Administrative Patent Judges*.

PER CURIAM.

ORDER
Granting Patent Owner's Motions for *Pro Hac Vice*
Admission of Patrick T. Schmidt
37 C.F.R. § 42.10

¹ This Order addresses similar issues in the above-identified proceedings. We issue one Order to be filed in each proceeding. The parties are not authorized to use this caption without express permission of the Board.

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On March 14, 2025, Patent Owner filed a Motion for *Pro Hac Vice* Admission of Patrick T. Schmidt in each of the above-captioned proceedings. Paper 16 (“Motion”).² Patent Owner also filed a Declaration of Schmidt in support of the Motion. Ex. 2023 (“Declaration”). The Motion does not state if it is opposed, but Petitioner has not filed an opposition.³ For the reasons provided below, the Motion is *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 us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. *See* Paper 3, 2 (citing *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 Motion and the accompanying Declaration, we conclude that Schmidt has sufficient legal and technical qualifications to represent Patent Owner in the above-captioned proceedings, that Schmidt has demonstrated sufficient familiarity with the subject matter

² For expediency, we cite to the Motion and Declaration filed in IPR2024-00984, unless otherwise noted. Patent Owner filed a similar Motion and Declaration in each of the other proceedings.

³ *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7, 3 (PTAB Oct. 15, 2013) (“Parties seeking to oppose a motion for *pro hac vice* admission must file their opposition no later than one week after the filing of the underlying motion”).

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of the proceedings, and that Schmidt meets all other requirements for admission *pro hac vice*. We further conclude that Patent Owner's interest in being represented in the above-captioned proceedings by counsel with litigation experience weighs in favor of granting the Motion. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Schmidt. Schmidt will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner submitted a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) for Schmidt. Paper 3, 2.⁴ In addition, Patent Owner's mandatory notices identify Schmidt as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 4, 3.

ORDER

Accordingly, it is:

ORDERED that Patent Owner's Motion for *Pro Hac Vice* Admission of Patrick T. Schmidt in each of the above-captioned proceedings (IPR2024-00984, Paper 16; IPR2024-01052, Paper 14; IPR2024-01164, Paper 15; IPR2024-01165, Paper 15; and IPR2024-01186, Paper 12) is *granted*;

FURTHER ORDERED that Schmidt is authorized to represent Patent Owner only as back-up counsel in the above-captioned proceedings;

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

⁴ We note that Paper 3 lacks page numbers. We cite to pages of Paper 3 as if numbered consecutively, beginning with the cover page

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FURTHER ORDERED that Schmidt is to comply with the Consolidated Trial Practice Guide⁵ (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.; and

FURTHER ORDERED that Schmidt 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.*

⁵ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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