

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THERMALTAKE TECHNOLOGY CO., LTD.
and THERMALTAKE INC.,
Petitioner,

v.

LIAN LI INDUSTRIAL CO., LTD.
and CHEN, CHIEN-HAO,
Patent Owner.

IPR2024-01230
Patent 10,690,336 B1

Before MONICA S. ULLAGADDI, SHARON FENICK, and
ANDREAS BALTATZIS, *Administrative Patent Judges*.

BALTATZIS, *Administrative Patent Judge*.

DECISION

Granting Petitioner's Motions for *Pro Hac Vice* Admission of
Christopher Kao, David J. Tsai, Brock S. Weber, and Surui Qu
37 C.F.R. § 42.10

On December 20, 2024, Petitioner filed four motions requesting *pro hac vice* admission of Christopher Kao (Paper 7), David J. Tsai (Paper 8), Brock S. Weber (Paper 9), and Surui Qu (Paper 10) (collectively, “Motions”). Each Motion is respectively supported by a corresponding declaration of Mr. Kao (Ex. 1023), Mr. Tsai (Ex. 1024), Mr. Weber (Ex. 1025), and Ms. Qu (Ex. 1026) (collectively, “Declarations”). In each Motion, Petitioner indicates that “Petitioners conferred with counsel for Patent Owner and understand that this Motion is unopposed.” Motions, 2.

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 Motions and the accompanying Declarations, we conclude that Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu have sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu have demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu meet all other requirements for admission *pro hac vice*. *See* Ex. 1023

¶¶ 1–9; Ex. 1024 ¶¶ 1–8; Ex. 1025 ¶¶ 1–9; Ex. 1026 ¶¶ 1–8.¹ Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu. Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Petitioner filed a Power of Attorney including Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu in accordance with 37 C.F.R. § 42.10(b). Paper 2. Petitioner has also submitted Mandatory Notices identifying Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 3, 1.

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner’s Motions for *pro hac vice* admission of Christopher Kao (Paper 7), David J. Tsai (Paper 8), Brock S. Weber (Paper 9), and Surui Qu (Paper 10) are *granted*;

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

FURTHER ORDERED that Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu are authorized to represent Petitioner as back-up counsel only;

FURTHER ORDERED that Mr. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu shall comply with the Patent Trial and Appeal Board’s Consolidated

¹ The Declarations of David J. Tsai (Ex. 1024) and Surui Qu (Ex. 1026) do not contain a listing of all other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years (paragraph 9 in the other two Declarations). We take this to mean that Mr. Tsai and Ms. Qu have not applied for *pro hac vice* admission in any other proceeding. We, therefore, deem the omission harmless error.

Trial Practice Guide² (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. Kao, Mr. Tsai, Mr. Weber, and Ms. Qu are 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.*

² Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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