

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUGGING FACE, INC.,
Petitioner,

v.

FRIENDLIAI INC.,
Patent Owner.

IPR2024-01234
Patent 11,442,775 B1

Before STACEY G. WHITE, KEVIN W. CHERRY, and
LISA A. MURRAY, *Administrative Patent Judges*.

CHERRY, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for
Pro Hac Vice Admission of Michael J. Sacksteder
37 C.F.R. § 42.10

On October 10, 2024, Patent Owner filed a motion requesting *pro hac vice* admission of Michael J. Sacksteder. Paper 6 (“Motion” or “Mot.”). Patent Owner also submitted a Declaration from Michael J. Sacksteder in support of the Motion. Ex. 2010 (“Declaration”). Petitioner has not opposed the Motion. For the reasons provided below, Patent Owner’s Motion is *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 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 Motion and the accompanying Declaration,¹ we conclude that Mr. Sacksteder has sufficient legal and technical qualifications to represent Patent Owner in this proceeding, has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and meets all other requirements for admission *pro hac vice*. *See* Ex. 2010. Accordingly, Patent Owner has established

¹ The Declaration states that “I have read and will comply with the Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations.” Ex. 2010 ¶ 8. The Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials are set forth in Part 42 of *Title 37, Code of Federal Regulations*. We deem this harmless error.

good cause for *pro hac vice* admission of Mr. Sacksteder. Mr. Sacksteder will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed a Power of Attorney including Mr. Sacksteder in accordance with 37 C.F.R. § 42.10(b). Paper 3. Patent Owner has also filed a Mandatory Notice identifying Mr. Sacksteder as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 4.

In consideration of the foregoing, it is hereby
ORDERED that Patent Owner's Motion (Paper 6) for *pro hac vice* admission of Michael J. Sacksteder is *granted*;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for this proceeding;

FURTHER ORDERED that Mr. Sacksteder is authorized to represent Patent Owner as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Sacksteder be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide² (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; and

FURTHER ORDERED that Mr. Sacksteder 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.*

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

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FOR PETITIONER:

James Murphy
Adam Daniels
jpmurphy@polsinelli.com
adaniels@polsinelli.com

FOR PATENT OWNER:

Jennifer Bush
Jae Won Song
jbush-ptab@fenwick.com
jsong-ptab@fenwick.com