

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS, AMERICA, INC.,
Petitioner,

v.

CERENCE OPERATING COMPANY,
Patent Owner.

IPR2024-01267
Patent 9,026,428 B2

Before BART A. GERSTENBLITH, BRIAN P. MURPHY, and
LISA A. MURRAY, *Administrative Patent Judges*.

MURRAY, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motions for *Pro Hac Vice*
Admission of Andrew D. Weiss, Benjamin T. Wang,
James S. Tsuei, and Bradley Hyde
37 C.F.R. § 42.10

On April 8, 2025, Patent Owner filed motions for *pro hac vice* admission of Andrew D. Weiss (Paper 15), Benjamin T. Wang (Paper 16), James S. Tsuei (Paper 17), and Bradley Hyde (Paper 18) in the above-identified proceeding (collectively, “Motions”). Additionally, Patent Owner filed declarations of Mr. Weiss (Ex. 2003), Mr. Wang (Ex. 2004), Mr. Tsuei (Ex. 2005), and Mr. Hyde (Ex. 2006) in support of the Motions (collectively, “Declarations”). Patent Owner represents that Petitioner does not oppose the Motions. Paper 15, 2; Paper 16, 2; Paper 17, 2; Paper 18, 2.

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* 37 C.F.R. § 42.10(c)(1); *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 averred in the Declarations, we conclude that each of Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde has sufficient legal and technical qualifications to represent Patent Owner in the above-identified proceeding, has demonstrated sufficient litigation experience and familiarity with the subject matter of the above-identified proceeding, and meets all other requirements for admission *pro hac vice*. We further conclude that Patent Owner’s interest in being represented by counsel with litigation experience weighs in favor of granting the Motions. Accordingly, Patent Owner has established good cause for *pro*

hac vice admission of Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde. Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde will be permitted to appear *pro hac vice* in the above-identified proceeding as back-up counsel only. See 37 C.F.R. § 42.10(c).

We note that Patent Owner filed a power of attorney for Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde in accordance with 37 C.F.R. § 42.10(b). Paper 13. Additionally, Patent Owner's mandatory notices identify Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 14, 2.

ORDER

Accordingly, it is:

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Andrew D. Weiss, Benjamin T. Wang, James S. Tsuei, and Bradley Hyde are *granted*;

FURTHER ORDERED that Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde are authorized to represent Patent Owner only as back-up counsel in the above-identified proceeding;

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

FURTHER ORDERED that Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde are to comply with the Consolidated Trial Practice Guide¹ (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

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

FURTHER ORDERED that Mr. Weiss, Mr. Wang, Mr. Tsuei, and Mr. Hyde 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.*

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