

Filed on behalf of:

Patent Owner

By: Marc Vander Tuig (Lead Counsel)

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Paper No. _____

Date: November 14, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CARGILL, INCORPORATED,
Petitioner,

v.

BUNGE LODERS CROKLAAN USA, LLC,
Patent Owner.

Case IPR2024-01360
Patent 7,645,473

**PATENT OWNER'S UNOPPOSED MOTION TO WITHDRAW AND
SUBSTITUTE COUNSEL**

I. STATEMENT OF RELIEF REQUESTED

Patent Owner, Bunge Loders Croklaan USA, LLC (“Patent Owner”) hereby respectfully requests, pursuant to 37 C.F.R. § 42.10(e) and the Board’s email dated November 12, 2024 authorizing the filing of this motion, that the Board authorize the withdrawal of Armstrong Teasdale LLP as counsel for Patent Owner, including Marc Vander Tuig as Lead Counsel and Richard L. Brophy as Back-up Counsel. Patent Owner respectfully requests the substitution of Troutman Pepper Hamilton Sanders LLP (“Troutman Pepper”) as new counsel, specifically Tate L. Tischner (Reg. No. 56,048) as Lead Counsel and Bryan C. Smith (Reg. No. 59,767) as Back-up Counsel in this proceeding.

II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL

Petitioner filed a Petition for Inter Partes Review of U.S. Patent No. 7,645,473 (Paper 2) on August 28, 2024. On September 30, 2024, the Board issued a Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper 3). On October 1, 2024, Patent Owner filed its Mandatory Notices (Paper 6) naming Marc Vander Tuig, Esq. as Lead Counsel and Richard L. Brophy, Esq. as Back-up Counsel.

Subsequent thereto, Troutman Pepper was retained by Patent Owner to represent it in this proceeding. A revocation and power of attorney for U.S. Patent

No. 7,645,713, granting power to Troutman Patent attorneys associated with Customer No. 11951, was electronically filed by new counsel via Patent Center on November 12, 2024. In addition, an updated mandatory notice identifying Mr. Tischner as Lead Counsel and Mr. Smith as Back-up Counsel was filed in this proceeding on November 13, 2024. The filing of that power of attorney and updated mandatory notice have not yet been accepted pending the Board's approval of this motion.

Patent Owner requests that Armstrong Teasdale LLP be withdrawn as counsel for Patent Owner, including Marc Vander Tuig as Lead Counsel and Richard L. Brophy as Back-up Counsel and that Troutman Pepper be substituted as new counsel, specifically with Tate L. Tischner (Reg. No. 56,048) as Lead Counsel and Bryan C. Smith (Reg. No. 59,767) as Back-up Counsel in this proceeding. Mr. Tischner and Mr. Smith are both associated with Customer No. 11951.

Patent Owner believes that the granting of this motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Board, or the ability of the Board to timely complete this proceeding. See 35 U.S.C. § 316(b).

Petitioner has confirmed that it does not oppose the relief requested in this motion.

III. REASONS FOR RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.10(e), “Counsel may not withdraw from a proceeding before the Board unless the Board authorizes such withdrawal.” Given Patent Owner’s change in its desired counsel, it is appropriate to allow Messrs. Vander Tuig and Brophy to withdraw from this proceeding and substitute Messrs. Tischner and Smith as counsel for Patent Owner.

IV. CONCLUSION

Patent Owner respectfully requests that the Board authorize the withdrawal of Armstrong Teasdale LLP as counsel for Patent Owner, including Marc Vander Tuig as Lead Counsel and Richard L. Brophy as Back-up Counsel and that Troutman Pepper be substituted as new counsel for Patent Owner in this proceeding, specifically Tate L. Tischner (Reg. No. 56,048) as Lead Counsel and Bryan C. Smith (Reg. No. 59,767) as Back-up Counsel.

Date: November 14, 2024

Respectfully submitted,

/Marc Vander Tuig/

Marc Vander Tuig (Reg. No. 57,964)

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), this is to certify that on this 14th day of November 2024, I caused to be served a true and correct copy of the foregoing **PATENT OWNER'S UNOPPOSED MOTION TO WITHDRAW AND SUBSTITUTE COUNSEL** by e-mail on the following counsel of record (as agreed in the Service Information section of the Petition):

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