

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CARGILL, INCORPORATED,
Petitioner,

v.

BUNGE LODERS CROKLAAN USA, LLC,
Patent Owner.

IPR2024-01360
Patent 7,645,473 B2

Before ZHENYU YANG, KIMBERLY McGRAW, and
MICHAEL G. McMANUS, *Administrative Patent Judges*.

McMANUS, *Administrative Patent Judge*.

ORDER
Conditionally Granting Patent Owner's Motion to Withdraw
and Substitute Counsel
37 C.F.R. §42.10(e)

Counsel may withdraw from an *inter partes* review proceeding only with authorization from the Board. 37 C.F.R. § 42.10(e). In this proceeding, Patent Owner designated Marc Vander Tuig as lead counsel and Richard L. Brophy as back-up counsel. Paper 5, 2.

After receiving our authorization to do so, Patent Owner filed a Motion to Withdraw and Substitute Counsel seeking the withdrawal of Mr. Vander Tuig as lead counsel and Mr. Brophy as back-up counsel. Paper 9, 1–3.

Patent Owner represents that it has retained substitute counsel. *Id.* at 1. Patent Owner represents that Tate L. Tischner (Reg. No. 56,048) and Bryan C. Smith (Reg. No. 59,767), both of Troutman Pepper Hamilton, have been retained to serve as lead counsel and back-up counsel, respectively. Patent Owner represents that the motion is unopposed. *Id.* at 2.

We *grant* authorization for Mr. Vander Tuig to withdraw as lead counsel and for Mr. Brophy to withdraw as back-up counsel *subject to* Patent Owner’s submission of an updated power of attorney and mandatory notices listing Mr. Tischner and Mr. Smith, or other suitable counsel, as lead and back-up counsel.

It is therefore,

ORDERED that Patent Owner’s Motion to Withdraw and Substitute Counsel (Paper 9) is conditionally *granted*; and

FURTHER ORDERED that Marc Vander Tuig is withdrawn as lead counsel and Richard L. Brophy is withdrawn as back-up counsel for

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Petitioner in this proceeding effective upon Patent Owner's submission of a suitable updated power of attorney and mandatory notices.

PETITIONER:

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