UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CHARTER COMMUNICATIONS, INC.,

Petitioner

v.

ADAPTIVE SPECTRUM AND SIGNAL ALIGNMENT, INC.,

Patent Owner

Case No. IPR2024-01379

U.S. Patent No. 7,809,996 B2

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITIONER CHARTER COMMUNICATIONS, INC.'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF ELIZABETH SHRIEVES UNDER 37 C.F.R. § 42.10

List of Exhibits

Exhibit No.	Description of Document
1021	Declaration of Elizabeth Shrieves in Support of Motion for *Pro Hac Vice* Admission

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), Petitioner Charter Communications, Inc. ("Petitioner") respectfully requests that the Board admit Elizabeth Shrieves *pro hac vice* in this proceeding as back-up counsel. Petitioner has conferred with Patent Owner, and Patent Owner does not oppose this motion.

II. GOVERNING LAW, RULES, AND PRECEDENT

Section 42.10(c), 37 C.F.R., provides that:

> 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 and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

The Board has further required that a motion for *pro hac vice* admission be filed in accordance with the "Order - Authorizing Motion for *Pro Hac Vice* Admission" entered in *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) ("*United Patents* Order").

The United Patents Order requires that such motions (1) "[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding[,]" and (2) "[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following:"

i. Membership in good standing of the Bar of at least one State or the District of Columbia;

ii. No suspensions or disbarments from practice before any court or administrative body;

iii. No application for admission to practice before any court or administrative body ever denied;

iv. No sanctions or contempt citations imposed by any court or administrative body;

v. The individual seeking to appear has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.;

vi. The individual will be subject to the U.S.P.T.O. Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);

vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and

viii. Familiarity with the subject matter at issue in the proceeding.

III. STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of Elizabeth Shrieves submitted herewith as Exhibit 1022, Petitioner requests the *pro hac vice* admission of Elizabeth Shrieves in this proceeding:

1. Patent Owner's lead counsel, Erik B. Milch (the undersigned) is a registered practitioner (Reg. No. 42,887).

2. Ms. Shrieves is an associate at the law firm of Proskauer Rose LLP. Ex. 1021 ¶ 8.

3. Ms. Shrieves is an experienced litigator, and a part of her practice has consisted of patent litigation and other patent related matters such as PTAB litigations. Ex. 1021 ¶ 9.

4. A noncomprehensive list of representative patent litigations where Ms. Shrieves has been actively involved as patent litigation counsel include:

- *Koninklijke Philips NV v. OpSens Inc., et al.*, No. 1-24-cv-00206 (D. Del.)
- *M.E.A.C. Engineering LTD v. Medela LLC*, No. 1-23-cv-14045 (N.D. Ill.)
- *Bay Materials, LLC v. Solventum Corp.*, No. 1-21-cv-01610 (D. Del.)

- *KinectUs LLC v. Bumble Trading, LLC*, No. 6-20-cv-00942 (W.D. Tex.)
- *CAP-XX, Ltd. v. Maxwell Technologies, Inc.*, No. 1-19-cv-01733 (D. Del.)
- *Uniloc 2017 LLC v. Google LLC*, No. 2-18-cv-00495 (E.D. Tex.)
- *Match Group, LLC v. Bumble Trading Inc.*, No. 6-18-cv-00080 (W.D. Tex.)

Ex. 1021 ¶ 9.

5. Ms. Shrieves' experience in post-grant patent proceedings includes drafting Petitions, Petitioner's responses and taking depositions. Ex. 1021 ¶ 10. Representative matters where Ms. Shrieves is or was actively involved include:

- *Medela LLC v. MEAC Engineering Ltd.*, IPR2024-01075 (PTAB)
- *Medela LLC v. MEAC Engineering Ltd.*, IPR2024-01076 (PTAB)
- *Bumble Trading Inc. v. Match Group, LLC*, IPR2019-00842 (PTAB)

Ex. 1021 ¶ 10.

6. Ms. Shrieves has an established familiarity with the subject matter at issue in this proceeding. Ex. 1021 ¶ 12. Ms. Shrieves has reviewed the Patent at issue as well as the Petition and the relevant art. Ex. 1021 ¶ 12.

7. Ms. Shrieves is a member in good standing of the State Bar of Virginia and the District of Columbia. Ex. 1021 ¶¶ 1-2.

8. Ms. Shrieves has never been suspended or disbarred from practice before any court or administrative body. Ex. 1021 ¶ 3.

9. No application of Ms. Shrieves for admission to practice before any court or administrative body has ever been denied. Ex. 1021 ¶ 4.

10. No sanctions or contempt citations have ever been imposed against Ms. Shrieves by any court or administrative body. Ex. 1021 ¶ 5.

11. Ms. Shrieves has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R. Ex. 1021 ¶ 6.

12. Ms. Shrieves understands that she will be subject to the U.S.P.T.O. Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). Ex. 1021 ¶ 7.

13. Ms. Shrieves has not applied to appear pro hac vice in any other proceedings before the U.S.P.T.O. in the last three years. Ex. 1021 ¶ 11.

IV. GOOD CAUSE EXISTS FOR THE PRO HAC VICE ADMISSION OF ELIZABETH SHRIEVES

The Board may recognize counsel *pro hac vice* upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose. 37 C.F.R. § 42.10(c).

The facts outlined above in the Statement of Facts and contained in the Declaration of Elizabeth Shrieves (Ex. 1021), establish that there is good cause to admit Ms. Shrieves *pro hac vice* in this proceeding.

V. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board admit Ms. Shrieves *pro hac vice* in this proceeding.

Respectfully submitted,

/Erik B. Milch/ Dated: March 10, 2025

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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2025, I caused a copy of the foregoing PETITIONER CHARTER COMMUNICATIONS, INC.'S UNOPPOSED MOTION FOR PRO HAC VICE ADMISSION OF ELIZABETH SHRIEVES UNDER 37 C.F.R. § 42.10 and associated Exhibit 1021 to be served on the following Patent Owner attorneys of record via electronic mail:

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