

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOME DEPOT U.S.A., INC.,
Petitioner,

v.

SECURITY TECHNOLOGY, LLC,
Patent Owner

Inter Partes Review No.: IPR2024-01420
Patent No. 11,562,402

**PETITIONER'S NOTICE OF INTENT TO DESIGNATE SAFRAZ W.
ISHMAEL AS A PROVISIONALLY RECOGNIZED PTAB ATTORNEY
ELIGIBLE FOR AUTOMATIC *PRO HAC VICE* ADMISSION AS BACK-
UP COUNSEL PURSUANT TO 37 C.F.R. § 42.10**

Pursuant to 37 C.F.R. § 42.10, Petitioner Home Depot U.S.A., Inc. (“Petitioner”) respectfully files a notice of intent to designate Safraz W. Ishmael as a provisionally recognized PTAB attorney eligible for automatic pro hac vice admission as backup counsel in this proceeding. The facts, supported by the attached Declaration of Safraz W. Ishmael in Support of Notice of Intent to Designate a Provisionally Recognized PTAB attorney as Back-up Counsel (“Ishmael Decl.”), establish Mr. Ishmael is a provisionally recognized PTAB attorney eligible for automatic pro hac vice admission in this proceeding. Petitioner conferred with Patent Owner, and Patent Owner confirmed that it does not oppose this Notice.

1. STATEMENT OF FACTS

Lead counsel for Petitioner, Jennifer Librach Nall, is a registered practitioner (Reg. No. 57,053) and experienced in inter partes proceedings in the USPTO. Jennifer Librach Nall represents Home Depot U.S.A., Inc. in connection with the pending district court action captioned RavenWhite Licensing LLC v. The Home Depot, Inc. et al., 2:24-cv-00688 (EDTX).

Mr. Ishmael has a bachelor’s degree in computer science and years of computer programming experience. Mr. Ishmael is a technically trained, experienced patent litigation attorney. He has experience in numerous patent

infringement litigation matters in the federal court system. He has experience in trials and *Markman* hearings.

Mr. Ishmael has an established familiarity with the subject matter at issue in this proceeding. Petitioner wishes to continue using Mr. Ishmael as counsel in this proceeding and has executed a Power of Attorney designating Mr. Ishmael as backup counsel.

Mr. Ishmael is a member in good standing of the Commonwealth of Massachusetts, the United States District Courts for the District of Massachusetts, the Eastern District of Texas, and the Western District of Wisconsin, and the United States Court of Appeals for the First Circuit and the for the Federal Circuit. (Id. at ¶ 3.)

He has never been suspended or disbarred from practice before any court or administrative body. (Id. at ¶ 4.) He has never had an application for admission to practice before any court or administrated body denied. Id. Nor has any court or administrative body imposed sanctions or contempt citations against him. (Id.)

Mr. Ishmael has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of 37 C.F.R. (Id. at ¶ 5.) He attests to satisfying all requirements set forth by the Board for pro hac vice recognition of a provisionally recognized PTAB attorney. (Id. at ¶ 1.) He also acknowledges and agrees to be subject to the USPTO Code of Professional

Responsibility set forth in 37 C.F.R. §§ 11.101 et seq., and to disciplinary jurisdiction under 37 C.F.R. §11.19(a). (Id. at ¶ 5.)

Mr. Ishmael has previously applied to appear pro hac vice before the Office and has previously been recognized pro hac vice in a Board proceeding in at least IPR2020-00270, IPR2020-00245, IPR2020-00220, and IPR2020-00221. (Id. at ¶ 6.) He has also not been subsequently denied permission to appear pro hac vice in a Board proceeding. (Id.)

II. ANALYSIS

The facts contained in the Statement of Facts above and Mr. Ishmael's Declaration establish that Mr. Ishmael is a provisionally recognized PTAB attorney and eligible for automatic pro hac vice admission in this proceeding under 37 C.F.R. § 42.10 as backup counsel. Lead counsel Jennifer Librach Nall is a registered practitioner and experienced in inter partes proceedings in the USPTO. Mr. Ishmael is an experienced patent litigation attorney, and he has an established familiarity with the subject matter at issue in this proceeding.

III. CONCLUSION

For the foregoing reasons, Petitioner respectfully files a notice of intent to designate Safraz W. Ishmael as a provisionally recognized PTAB attorney eligible for automatic pro hac vice admission in this proceeding.

Petitioner's Mandatory Notices identify Mr. Ishmael as backup counsel.

Date: January 13, 2025

Respectfully submitted,

/s/ Jennifer Librach Nall

Jennifer Librach Nall

Reg. No. 57,053

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Attorney for Petitioner, Home Depot
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Intent to Designate Safraz W. Ishmael as a Provisionally Recognized PTAB Attorney Eligible for Automatic *Pro Hac Vice* Admission as Back-Up Counsel Pursuant to 37 C.F.R. § 42.10 and Exhibit 1015 have been served via electronic mail upon the following on January 13, 2025:

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Date: January 13, 2025

Respectfully submitted,

/s/ Jennifer Librach Nall

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