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Paper: 12
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DECENT ESPRESSO INTERNATIONAL LTD,
Petitioner,

v.

DUVALL ESPRESSO IP ENFORCEMENT, LLC,
Patent Owner.

IPR2024-01483 (Patent 11,576,524 B2)
IPR2024-01492 (Patent 10,772,456 B2)[1]

Before JAMES J. MAYBERRY, ERIC C. JESCHKE, and
RICHARD H. MARSCHALL, *Administrative Patent Judges*.

MARSCHALL, *Administrative Patent Judge.*

ORDER
Granting Patent Owner's Motion for *Pro Hac Vice*
Admission of Veronika Balbuzanova
37 C.F.R. § 42.10

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[1] The combined caption is for administrative convenience only and does not indicate a joined case or an expanded panel. The parties are not authorized to use this caption absent express permission of the Board.

On October 16, 2024, Patent Owner filed a Motion for *Pro Hac Vice* Admission of Veronika Balbuzanova. Paper 9[2] ("Motion"). Patent Owner filed an affidavit from Ms. Balbuzanova in support of the Motion. Ex. 2001[3] ("Affidavit"). Patent Owner filed a Power of Attorney including Ms. Balbuzanova. Paper 6. Patent Owner also filed a Mandatory Notice identifying Ms. Balbuzanova as back-up counsel. Paper 7. Petitioner did not file an opposition to the Motion.

In accordance with 37 C.F.R. § 42.10(c)(1), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in the proceeding. *See 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 Motion and the accompanying Affidavit, we conclude that Ms. Balbuzanova has sufficient qualifications to represent Patent Owner in this proceeding, that Ms. Balbuzanova has demonstrated sufficient litigation experience and legal familiarity with the subject matter of this proceeding, and that Ms. Balbuzanova meets all other requirements to establish good cause for admission *pro hac vice*. *See* Affidavit ¶¶ 1–8. Accordingly, Patent

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[2] For expediency, this Order refers only to the papers and exhibits filed in IPR2024-01483. Patent Owner filed a similar motion and related documents in IPR2024-01492. *See* IPR2024-01492, Papers 6–9; Ex. 2001.

[3] The Affidavit lacks a notary seal, which we interpret as an oversight. Patent Owner must file a proper declaration (*see* 37 C.F.R. § 1.68) or proper affidavit (*see* 37 C.F.R. § 1.66) to support the Motion. Failure to file a proper declaration may result in reconsideration of this Order.

Owner has established good cause for *pro hac vice* admission of Ms. Balbuzanova.

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motion for *pro hac vice* admission of Ms. Balbuzanova is *granted*;

FURTHER ORDERED that Patent Owner continue to have a registered practitioner represent it as lead counsel for the instant proceeding, but that Ms. Balbuzanova is authorized to act as back-up counsel;

FURTHER ORDERED that Ms. Balbuzanova be familiar with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide[4] (84 Fed. Reg. 64,280 (Nov. 21, 2019)) and comply with the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37,[5] Code of Federal Regulations; and

FURTHER ORDERED that Ms. Balbuzanova is 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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[4] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

[5] The Affidavit references "part 42 of the C.F.R." Affidavit ¶ 5. As stated above, Part 42 is set forth in Title 37.

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