Trials@uspto.gov
571-272-7822

Paper 12
Entered: May 5, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NUVEI TECHNOLOGIES, INC.,
Petitioner,

v.

AUTOSCRIBE CORPORATION,
Patent Owner.

IPR2025-00089
Patent 11,620,621 B2

Before ST. JOHN COURTENAY III, MICHAEL R. ZECHER, and KEVIN W. CHERRY, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

ORDER
Granting Patent Owner's Motion for
Pro Hac Vice Admission of Colin Phillips
37 C.F.R. § 42.10(c)

Patent Owner, Autoscribe Corporation ("Autoscribe"), filed a motion requesting *pro hac vice* admission of Colin Phillips in this proceeding. Paper 10 ("Mot."). Autoscribe also submitted a Declaration from Mr. Phillips in support of the Motion ("Declaration"). Ex. 2006. Autoscribe represents that Petitioner, Nuvei Technologies, Inc., does not oppose the Motion. Mot. 4 (Certificate of Conference). For the reasons we provide below, the Motion is *granted*.

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, subject to the condition that lead counsel be a registered practitioner. In authorizing a motion for *pro hac vice* admission, we require the moving party to provide a statement of facts showing there is good cause for us 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 Declaration, we conclude that Mr. Phillips has sufficient legal and technical qualifications to represent Autoscribe in this proceeding, that he has demonstrated sufficient familiarity with the subject matter of this proceeding, that he otherwise meets all other requirements for admission *pro hac vice*, and that Autoscribe's intent to be represented by counsel with litigation experience is warranted. *See* Mot. 1–2; Ex. 2006 ¶¶ 1–10. Accordingly, Autoscribe has established good cause for *pro hac vice* admission of Mr. Phillips, who will be permitted to serve only as back-up counsel. *See* 37 C.F.R. § 42.10(c)(1).

Upon review of the record before us, we note that Autoscribe filed a Power of Attorney including Mr. Phillips in accordance with 37 C.F.R. § 42.10(b). Paper 4.

In addition, Autoscribe has not filed updated Mandatory Notices identifying Mr. Phillips as back-up counsel. Therefore, Autoscribe must file an updated Mandatory Notice identifying Mr. Phillips as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Autoscribe's Motion for *pro hac vice* admission of Colin Phillips is *granted*;

FURTHER ORDERED that Autoscribe must file an updated Mandatory Notice identifying Mr. Phillips as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Autoscribe is to continue to have a registered practitioner represent it as lead counsel in this proceeding;

FURTHER ORDERED that Mr. Phillips is authorized to represent Autoscribe as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Phillips be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide[1] (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, Code of Federal Regulations; and

[1] *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated.

FURTHER ORDERED that Mr. Phillips is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the U.S. Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*

For PETITIONER

Eagle H. Robinson
Daniel S. Leventhal
NORTON ROSE FULBRIGHT US LLP
eagle.robinson@nortonrosefulbright.com
daniel.leventhal@nortonrosefulbright.com

For PATENT OWNER

Sujeeth Rajavolu
AHMAD ZAVITSANOS & MENSING PLLC
sujeeth.rajavolu@gmail.com