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Paper 8
Date: March 11, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

SiONYX, LLC,
Patent Owner.

IPR2025-00162 (Patent 10,224,359 B2)
IPR2025-00163 (Patent 10,224,359 B2)
IPR2025-00164 (Patent 9,064,764 B2)
IPR2025-00165 (Patent 9,905,599 B2)[1]

Before GEORGE R. HOSKINS, NABEEL U. KHAN, and MONICA S. ULLAGADDI, *Administrative Patent Judges*.

PER CURIAM.

ORDER
Conditionally Granting Patent Owner's Motion for Admission *Pro Hac Vice* of Andrew P. Zappia
37 C.F.R. § 42.10

[1] This Order addresses issues common to each of these proceedings and we use this caption for efficiency. The parties may not use this style heading in any subsequent papers without authorization.

On March 5, 2025, Patent Owner filed motions for admission *pro hac vice* of Andrew P. Zappia in these proceedings. *See* Paper 11 ("Mot." or "Motion").[2] Patent Owner represents that Petitioner does not object to the Motion. *See id.* at 4.

The Motions rely on Declarations from Mr. Zappia. *See* Ex. 2001. However, Powers of Attorney and Mandatory Notices identifying Mr. Zappia have *not* been filed. In view of this, and for the reasons set forth below, Patent Owner's Motion is *conditionally granted*, and will be effective after Patent Owner files an updated Power of Attorney and Mandatory Notices including Mr. Zappia.

As set forth in 37 C.F.R. § 42.10(c), 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. In its notice authorizing motions for *pro hac vice* admission, the Board requires 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 this proceeding. *See* Paper 9, 3–4; *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (representative "Order – Authorizing Motion for *Pro Hac Vice* Admission").

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude Mr. Zappia has sufficient legal and technical qualifications to represent Patent Owner in these proceedings, has

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[2] We refer to documents in IPR2025-00162. Similar documents were filed in the other proceedings.

demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Zappia, who will be permitted to serve only as back-up counsel. *See* 37 C.F.R. § 42.10(c).

ORDER

It is hereby:

ORDERED that Patent Owner's motion for *pro hac vice* admission of Andrew P. Zappia is *conditionally granted*, provided that Patent Owner files, within ten (10) business days of the date of this order, a Power of Attorney in each proceeding for Mr. Zappia in accordance with 37 C.F.R. § 42.10(b), and an updated mandatory notice in each proceeding according to 37 C.F.R. § 42.8(b) providing updated information regarding back-up counsel;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in each proceeding;

FURTHER ORDERED that Mr. Zappia is authorized to represent Patent Owner only as back-up counsel in these proceedings;

FURTHER ORDERED that Mr. Zappia is to be familiar with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide (November 2019), *available at* https://www.uspto.gov/TrialPracticeGuideConsolidated, and comply with the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;

FURTHER ORDERED that Mr. Zappia is subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO's Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

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