

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PERPLEXITY AI, INC.,  
PETITIONER

v.

COMET ML, INC.,  
Patent Owner

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Case: IPR2025-01063  
U.S. Patent No. 11,650,968

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**PETITIONER’S MOTION FOR *PRO HAC VICE* ADMISSION OF  
YURI MIKULKA UNDER 37 C.F.R. § 42.10(c)**

***Mail Stop “PATENT BOARD”***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O Box 1450  
Alexandria, VA 22313-1450

**LIST OF EXHIBITS**

| <b>Exhibit</b>  | <b>Short Name</b>      | <b>Description</b>                                                                                                              |
|-----------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>Ex. 1001</b> | '968 Patent            | U.S. Patent No. 11,650,968 (the "'968 Patent")                                                                                  |
| <b>Ex. 1002</b> | Prosecution History    | Prosecution History for U.S. Patent No. 11,650,968                                                                              |
| <b>Ex. 1003</b> | Denning Declaration    | Declaration of Scott Denning                                                                                                    |
| <b>Ex. 1004</b> | CV                     | <i>Curriculum Vitae</i> of Scott Denning                                                                                        |
| <b>Ex. 1005</b> | Baker                  | International Publication No. WO 2018/175098 ("Baker")                                                                          |
| <b>Ex. 1006</b> | Shridhar               | <i>A Comprehensive guide to Bayesian Convolutional Neural Network with Variational Inference</i> ("Shridhar")                   |
| <b>Ex. 1007</b> | Jenatton               | <i>Bayesian Optimization with Tree-structured Dependencies</i> ("Jenatton")                                                     |
| <b>Ex. 1008</b> | Lorenz                 | <i>Stopping criteria for boosting automatic experimental design using real-time fMRI with Bayesian optimization</i> ("Lorenz")  |
| <b>Ex. 1009</b> | Domhan                 | <i>Speeding up Automatic Hyperparameter Optimization of Deep Neural Networks by Extrapolation of Learning Curves</i> ("Domhan") |
| <b>Ex. 1010</b> | Baker '798 Pub.        | U.S. Pub. No. 2019/0095798 ("Baker '798 Pub.")                                                                                  |
| <b>Ex. 1011</b> | Hall-Ellis Declaration | Declaration of Dr. Sylvia Hall-Ellis                                                                                            |
| <b>Ex. 1012</b> | Mikulka Declaration    | Declaration of Yuri Mikulka                                                                                                     |

Pursuant to 37 CFR § 42.10(c), Petitioner Perplexity AI, Inc. (“Perplexity AI” or “Petitioner”) requests that the Board admit Yuri Mikulka *pro hac vice* in this proceeding.

## **I. TIME FOR FILING**

This Motion is timely because it is being filed after the Notice of Filing Date Accorded to the Petition and no sooner than twenty-one days after service of the petition. *See Unified Patents, Inc. v. Parallel Iron, LLC*, Case No. IPR2013-00639, Paper 7 at 2-3 (PTAB Oct. 15, 2013) (“Time for Filing”).

## **II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL PRO HAC VICE**

The Board may recognize counsel *pro hac vice* during a proceeding upon showing of good cause, subject to the condition that lead counsel is a registered practitioner, and any other conditions the Board may impose. 37 C.F.R. § 42.10(c). Section 42.10(c) states “where lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon a showing that counsel is an experienced litigation attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Yuri Mikulka *pro hac vice*.

1. Lead Counsel, Daniel J. O’Connor, of the Law Firm Alston & Bird, LLP is a registered patent practitioner.

2. The Declaration of Yuri Mikulka (Ex. 1012 (“Mikulka Decl.”)) accompanies this Motion. In her declaration, Ms. Mikulka attests to all facts required by the Order. For example, Ms. Mikulka attests that she is a member in good standing of the State Bar of California. Ex. 1012, ¶ 2. Ms. Mikulka also attests that she has not been suspended, disbarred, had her application denied, been sanctioned, or had a contempt citation imposed on her by any court or administrative body. Ex. 1012, ¶¶ 3-5. Ms. Mikulka is an experienced litigator and has reviewed U.S. Patent No. 11,650,968, and the Petition as well as the accompanying exhibits, and as such has established familiarity with the subject matter at issue in this proceeding. Ex. 1012, ¶¶ 9-10. Ms. Mikulka has also read and will comply with the USPTO’s rules of professional conduct and disciplinary jurisdiction including the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in title 37, part 42 of the Code of Federal Regulations (C.F.R.). *Id.* at ¶¶ 6-7. As Intellectual Property Litigation Partner at Alston & Bird, Ms. Mikulka is also associated with Lead Counsel, who is a registered practitioner. *Id.* at ¶ 11. Ms. Mikulka has not applied to appear *pro hac vice* before the Board in any other proceedings in the last three years. Ex. 1012, ¶8.

3. Ms. Mikulka also attests to each of the additional listed items required by the Order. (*See* Ex. 1012, ¶¶ 1-11).

### III. CONCLUSION

For the foregoing reasons as well as the reasons contained in the attached declaration, Petitioner respectfully moves for the admission of Ms. Mikulka to designate her as back-up counsel in this IPR, in view of her knowledge, familiarity, and experience with the relevant subject matter. Thus, there is good cause to recognize Ms. Mikulka in this case. Although Ms. Mikulka is not a registered USPTO practitioner, the Petitioner's undersigned lead counsel is registered.

Dated: July 2, 2025

Respectfully submitted,

/Daniel J. O'Connor/

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*Lead Counsel for Petitioner*

*Perplexity AI, Inc.*

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. §42.6(e), the undersigned hereby certifies that true and correct copies of the above-captioned **PETITIONER’S MOTION FOR *PRO HAC VICE* ADMISSION OF YURI MIKULKA UNDER 37 C.F.R. § 42.10(c) and PERPLEXITY AI, INC. EXHIBIT 1012** were served in their entirety on July 2, 2025 via filing through the Patent Trial and Appeal Case Tracking System (P-TACTS) and electronic mail on the following counsel of record for Petitioner:

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Date: July 2, 2025

/Daniel J. O’Connor/  
Daniel J. O’Connor