

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GENERAC POWER SYSTEMS, INC.,
Petitioner,

v.

CHAMPION POWER EQUIPMENT, INC.,
Patent Owner.

IPR2025-01271 (Patent 10,697,398 B2)
IPR2025-01457 (Patent 11,143,145 B2)¹

Before JON M. JURGOVAN, ERIC C. JESCHKE, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

JESCHKE, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motions for
Pro Hac Vice Admission of Leighton Zhao
37 C.F.R. § 42.10

¹ The combined caption is for administrative convenience only and does not indicate that these proceedings have been joined. The parties are not authorized to use this caption without express permission of the Board.

On August 13, 2026, Petitioner filed motions requesting *pro hac vice* admission of Leighton Zhao in each of these proceedings (collectively “Motions”).² See IPR2025-01271, Paper 43.³ Petitioner also submitted Declarations from Leighton Zhao in support of the Motions (collectively “Declarations”). Ex. 1089.⁴ Petitioner attests that Patent Owner does not oppose the Motions. Paper 43 at 6. For the reasons below, Petitioner’s Motions are *granted*.

In accordance with 37 C.F.R. § 42.10(c)(1), 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 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 37 C.F.R. § 42.10(c)(1); *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639

² Petitioner’s filings in IPR2025-01457 reference IPR2025-01475. See IPR2025-01457, Paper 34 at 1; Paper 35 at 1; Paper 36. These errors appear to be inadvertent. We understand the filings to be associated with the proceeding in which they were filed, IPR2025-01457. In particular, we note that the power of attorney filed as Paper 35 includes this apparent error. We find the document otherwise sufficiently comports with the details of IPR2025-01457 (including the caption) that we understand the document was signed with the intention of associating it with IPR2025-01457.

³ For purposes of expediency, we cite to only the papers and exhibits as filed in IPR2025-01271. Petitioner filed a similar set of papers and exhibits in IPR2025-01457.

⁴ We cite to Exhibits filed in IPR2025-01271. Petitioner filed a similar Declaration in IPR2025-01457 (Ex. 1089).

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(PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”).

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Zhao has sufficient qualifications to represent Petitioner in these proceedings, has demonstrated sufficient litigation experience and legal familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. See Ex. 1089. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Zhao. Mr. Zhao will be permitted to serve as back-up counsel only. See 37 C.F.R. § 42.10(c)(1).

We note that Petitioner filed a Power of Attorney including Mr. Zhao in accordance with 37 C.F.R. § 42.10(b). IPR2025-01271, Paper 42; IPR2025-01457, Paper 35. Petitioner has also filed Mandatory Notices identifying Mr. Zhao as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). IPR2025-01271, Paper 41 at 4; IPR2025-01457, Paper 34 at 4.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner’s Motions for *pro hac vice* admission of Leighton Zhao are *granted*;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for these proceedings;

FURTHER ORDERED that Mr. Zhao is authorized to represent Petitioner as back-up counsel only in these proceedings;

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FURTHER ORDERED that Mr. Zhao be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide⁵ (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

FURTHER ORDERED that Mr. Zhao 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.*

⁵ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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