UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANADIAN SOLAR (USA) INC.
Petitioner

v.

FIRST SOLAR, INC.
Patent Owner

Case No. IPR2025-01432

Patent No. 9,130,074

PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF KEITH R. HUMMEL UNDER 27 C.F.R. §42.10(c)

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Pursuant to 37 C.F.R. § 42.10(c), Patent Owner First Solar, Inc. respectfully requests that the Board recognize Keith R. Hummel as counsel *pro hac vice* during this proceeding.

I. TIME FOR FILING

This Motion is timely because it is being filed no sooner than twenty-one days after service of the petition in this proceeding, which occurred on August 22, 2025.

II. NO OPPOSITION TO THIS MOTION

The parties met and conferred over email on this issue on September 8, 2025, and counsel for petitioner does not oppose the *pro hac vice* admission request of Mr. Hummel.

III. STATEMENT OF FACTS

The following statement of facts shows that there is good cause for the Board to recognize Mr. Hummel as counsel *pro hac vice* in this proceeding.

Mr. Hummel is an experienced litigation attorney and has an established familiarity with the subject matter at issue in this proceeding. Representative matters highlighting a selection of Mr. Hummel's relevant litigation experience are included in his biography, attached hereto as Exhibit 2001. Mr. Hummel has over thirty years of experience with patent litigation, and is lead counsel of record in the district court litigation involving the patent at issue in this proceeding, U.S. Patent No. 9,130,074 ("the '074 Patent"). *See First Solar, Inc. v. JinkoSolar Holding Co., Ltd. et al.,* No.

1:25-cv-00223, filed in the U.S. District Court for the District of Delaware on February 25, 2025; *First Solar, Inc. v. Canadian Solar Inc. et al.*, 1:25-cv-00582, filed in the District of Delaware on May 9, 2025; and *Mundra Solar PV Limited v. First Solar, Inc.*, No. 1:25-cv-00462, filed in the District of Delaware on April 15, 2025. Mr. Hummel has been substantially involved with this litigation, and he is familiar with the subject matter at issue in this proceeding including the ’074 Patent and the petition filed in this proceeding.

Good cause for Mr. Hummel’s admission exists because Mr. Hummel is the lead counsel with respect to Patent Owner’s enforcement of the ’074 Patent and Patent Owner anticipates there may be discovery, including depositions, or motion practice related to Patent Owner’s Response if this petition is initiated that would necessitate Mr. Hummel’s involvement. Mr. Hummel’s involvement in this proceeding would alleviate scheduling concerns and allows Patent Owner to be represented by additional counsel who is familiar with the ’074 Patent and the prior art asserted in this proceeding.

IV. DECLARATION OF KEITH R. HUMMEL

Patent Owner’s Motion for *Pro Hac Vice* Admission is accompanied by the Declaration of Keith R. Hummel, filed as Exhibit 2002, attesting to the requirements laid out in the Board’s Order Authorizing Motion for Pro Hac Vice Admission in

Unified Patents, Inc. v. Parallel Iron, LLC, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7).

V. ARGUMENT

Upon a showing of good cause, the Board may admit counsel who are not registered practitioners to appear *pro hac vice* in IPR and other Board proceedings.

The applicable rule provides as follows:

> 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 and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

37 C.F.R. § 42.10(c).

As seen in the Statement of Facts above and in the accompanying declaration, the conditions for admission *pro hac vice* are satisfied. In particular, Mr. Hummel is an experienced litigator and has ample familiarity with the subject matter at issue in this IPR proceeding. Mr. Hummel has never been censured, disciplined, suspended, nor denied admission by any court or administrative body. Further, Mr. Hummel agrees to comply with or be subject to all relevant procedural and ethical rules. Finally, a registered practitioner, Sharon Goswami, will serve as lead counsel.

VI. CONCLUSION

For the foregoing reasons as well as the reasons contained in the attached declaration, Patent Owner respectfully requests admission of Keith R. Hummel as counsel *pro hac vice* and respectfully submits that there is good cause for the Board to do so.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing Motion for Admission *Pro Hac Vice* was served on September 15, 2025, by electronic service, as authorized by Petitioner's Mandatory Notices:

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Date: September 15, 2025

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