

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CRUSOE ENERGY SYSTEMS, LLC,
Petitioner,

v.

UPSTREAM DATA INC.,
Patent Owner.

PGR2023-00039
Patent 11,574,372 B2

Before HYUN J. JUNG, JAMES J. MAYBERRY, and
MATTHEW S. MEYERS, *Administrative Patent Judges*.

MEYERS, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

On October 7, 2024, counsel for Patent Owner contacted the Board to request authorization to file a motion to allow Patent Owner to designate backup counsel Clayton W. Thompson as lead counsel in this proceeding in place of James M. Heintz due to a potential scheduling conflict regarding Mr. Heintz's attendance at the oral hearing set for October 25, 2024. Petitioner has not filed an opposition to Patent Owner's request.

On October 9, 2024, Patent Owner's request was authorized and Patent Owner filed a Motion to Change Designation of Lead Counsel. Paper 36 ("Motion" or "Mot."). In the Motion, Patent Owner "moves that the Board allow backup counsel Clayton W. Thompson to become lead counsel in this proceeding in place of James M. Heintz." Mot. 1. Patent Owner informs us that "Mr. Heintz will be traveling for depositions in another matter and will likely be traveling back from Korea on the day of the hearing." *Id.* Patent Owner further notes that Mr. Heintz will continue to represent Patent Owner as backup counsel. *Id.*

It is:

ORDERED that Patent Owner's motion to designate Clayton W. Thompson as lead counsel and James M. Heintz as backup counsel in this proceeding is granted; and

FURTHER ORDERED that Patent Owner file an Updated Mandatory Notice by 5:00 PM Eastern Time on October 22, 2024 as detailed above.

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