

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIMPSON STRONG-TIE COMPANY INC.,
Petitioner,

v.

COLUMBIA INSURANCE COMPANY,
Patent Owner.

PGR2024-00050
Patent 11,920,339 B2

Before JEFFREY N. FREDMAN, NEIL T. POWELL, and
STEPHEN E. BELISLE, *Administrative Patent Judges*.

FREDMAN, *Administrative Patent Judge*.

ORDER

*Conditionally Granting Petitioner's Motion for Admission
Pro Hac Vice of Lindsay A. van Keulen and Erick C. Howard
37 C.F.R. § 42.10*

On July 16, 2025, Petitioner filed motions requesting *pro hac vice* admission of Lindsay A. van Keulen and Erick C. Howard. Papers 30–31 (“Motions”). Petitioner submitted Declarations from Ms. van Keulen and Mr. Howard in support of the Motions. Exs. 1045–46 (“Declarations”). No opposition to the Motion has been filed. For the reasons provided below, Petitioner’s Motion is *granted*.

In accordance with 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 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 Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (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 Ms. van Keulen and Mr. Howard have sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Ms. van Keulen and Mr. Howard have demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, that Ms. van Keulen and Mr. Howard meet all other requirements for admission *pro hac vice*. *See* Ex. 1045–46. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Ms. van Keulen and Mr. Howard.

Petitioner has not filed a Power of Attorney including Lindsay A. van Keulen and Erick C. Howard in accordance with 37 C.F.R.

§ 42.10(b). Paper 1. In view thereof, Petitioner's Motion is *conditionally granted* and effective upon Petitioner filing a power of attorney that identifies Ms. van Keulen and Mr. Howard in accordance with 37 C.F.R. § 42.10(b).

Petitioner has also not filed Updated Mandatory Notices, identifying Lindsay A. van Keulen and Erick C. Howard as back-up counsel, as required by 37 C.F.R. § 42.8(b)(3). Paper 8. Therefore, Petitioner must file updated Mandatory Notices identifying Ms. van Keulen and Mr. Howard as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Lindsay A. van Keulen and Erick C. Howard are *conditionally granted*, provided that within ten (10) business days of the date of this order, Petitioner must submit a power of attorney for Ms. van Keulen and Mr. Howard in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Petitioner must file updated mandatory notices identifying Ms. van Keulen and Mr. Howard as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

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

FURTHER ORDERED that Ms. van Keulen and Mr. Howard are authorized to represent Petitioner as back-up counsel only in this proceeding;

FURTHER ORDERED that Ms. van Keulen and Mr. Howard comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide¹ (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and 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 Ms. van Keulen and Mr. Howard are 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.*

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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