

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GD ENERGY PRODUCTS, LLC,
Petitioner,

v.

KERR MACHINE COMPANY,
Patent Owner.

PGR2025-00031
Patent 12,152,582 B2

Before CARL M. DeFRANCO, RYAN H. FLAX, and
BRENT M. DOUGAL, *Administrative Patent Judges*.

FLAX, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motion for
Pro Hac Vice Admission of Larry L. Shatzer
37 C.F.R. § 42.10

On May 22, 2025, Petitioner filed a motion requesting *pro hac vice* admission of Larry L. Shatzer. Paper 7 (“Motion” or “Mot.”). Petitioner also submitted a Declaration from Larry L. Shatzer in support of the Motion. Ex. 1019 (“Declaration”). Patent Owner has not opposed the Motion. For the reasons provided below, Petitioner’s Motion is *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); Paper 5, 3–4.

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude that counsel Shatzer has sufficient qualifications to represent Petitioner in this proceeding, has demonstrated sufficient litigation experience and legal familiarity with the subject matter of this proceeding, and meets all other requirements for admission *pro hac vice*. *See* Ex. 1019. Accordingly, Petitioner has established good cause for *pro hac vice* admission of counsel Shatzer. Counsel Shatzer 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 counsel Shatzer in accordance with 37 C.F.R. § 42.10(b). Paper 2. Petitioner has also filed a Mandatory Notice identifying counsel Shatzer as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 1, 30.

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motion for *pro hac vice* admission of Larry L. Shatzer (Paper 7) is *granted*;

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

FURTHER ORDERED that counsel Shatzer is authorized to represent Petitioner as back-up counsel only in this proceeding;

FURTHER ORDERED that counsel Shatzer be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide¹ (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 counsel Shatzer 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.*

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

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