

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BANK OF AMERICA, N.A.,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

Case CBM2014-00033
Patent 7,260,587

THOMAS L. GIANNETTI, *Administrative Patent Judge.*

ORDER
Decision on Motions
37 C.F.R. § 42.10

Petitioner has filed motions for *pro hac vice* admission of Michael Summersgill and Nina S. Tallon in this proceeding. Patent Owner did not oppose. The motions are *granted*.

Pursuant to 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing motions for *pro hac vice*, 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 this proceeding.

In its motions, Petitioner states that there is good cause for the Board to recognize Mr. Summersgill and Ms. Tallon *pro hac vice* because they are experienced litigating attorneys familiar with subject matter of the proceeding and a members in good standing of the Massachusetts bar. Mr. Summersgill and Ms. Tallon have made a declarations attesting to, and explaining, these facts. The declarations comply with the requirements set forth in the Notice.

Upon consideration, Petitioner has demonstrated that Mr. Summersgill and Ms. Tallon have sufficient legal and technical qualifications to represent Petitioner in this proceeding. Moreover, the Board recognizes that there is a need for Petitioner to have them be involved in this proceeding. Accordingly, Petitioner has established that there is good cause for admitting Mr. Summersgill and Ms. Tallon.

It is therefore

ORDERED that Petitioner's motions for admission of Michael Summersgill and Nina S. Tallon *pro hac vice* are *granted*;

FURTHER ORDERED that Petitioner is to continue to have a

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registered practitioner represent it as lead counsel for this proceeding;

FURTHER ORDERED that Mr. Summersgill and Ms. Tallon are to comply with the Office Patent Trial Practice Guide 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 Mr. Summersgill and Ms. Tallon 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.*

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