

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMERICAN EXPRESS COMPANY, et al.  
Petitioner

v.

HARVEY LUNENFELD,  
Patent Owner

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Case CBM2014-00050  
Patent 8,239,451 B1

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Before KARL D. EASTHOM, MIRIAM L. QUINN,  
FRANCES L. IPPOLITO, *Administrative Patent Judges.*

QUINN, *Administrative Patent Judge.*

DECISION

Patent Owner's Motion for *Pro Hac Vice* Admission of Richard M. Martinez  
*37 C.F.R. § 42.10*

Patent Owner has filed a Motion for *pro hac vice* admission of Mr. Richard M. Martinez. Paper 19 (“Motion”). Patent Owner also filed an affidavit of Mr. Martinez, dated June 25, 2014, in support of its Motion. Ex. 2003. Petitioner does not oppose the Motion. Paper 21.

We have reviewed the Motion and the accompanying affidavit of Mr. Martinez. Based on the statement of good cause set forth in the motion and the facts averred in the affidavit, we conclude that Mr. Martinez has sufficient qualifications to represent Patent Owner in these proceedings and that there is a need for Patent Owner to have its counsel in the related district-court cases involved in these proceedings. *See Unified Patents v. Parallel Iron*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (setting forth the requirements for *pro hac vice* admission) (Paper 7). Under 37 C.F.R. § 42.10(c), Mr. Martinez will be permitted to appear *pro hac vice* in the instant proceedings as back-up counsel *only*.

*Order*

It is

ORDERED that Patent Owner’s Motion for *pro hac vice* admission of Mr. Richard Martinez in the instant proceeding is granted;

FURTHER ORDERED that Mr. Martinez is authorized to represent Patent Owner as back-up counsel in the instant proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in the instant proceedings;

FURTHER ORDERED that Mr. Martinez is to comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

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FURTHER ORDERED that Mr. Martinez is subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

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