

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
Petitioner,

v.

HBAC MATCHMAKER MEDIA, INC.,
Patent Owner.

Case CBM2016-00097
Patent 6,002,393

Before TRENTON A. WARD, GEORGIANA W. BRADEN,
CHRISTOPHER G. PAULRAJ, *Administrative Patent Judges*.

BRADEN, *Administrative Patent Judge*.

ORDER

Petitioner's Motion for *Pro Hac Vice* Admission of
Brian A. Rosenthal

Petitioner Google, Inc. filed a motion pursuant to 37 C.F.R. § 42.10(c) for Brian A. Rosenthal to appear *pro hac vice* on its behalf before the Patent Trial and Appeal Board in this proceeding. *See* Paper 10. Patent Owner did not file an opposition.

Pursuant to 37 C.F.R. § 42.10(c), we 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. A motion for *pro hac vice* admission must contain a statement of facts showing there is good cause for us to recognize counsel *pro hac vice* during the proceeding and be accompanied by an affidavit or declaration of the individual seeking to appear. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, slip op. at 3–4 (PTAB Oct. 15, 2013) (Paper 7) (setting forth the requirements for *pro hac vice* admission).

In his declaration, Mr. Rosenthal states he has familiarity with the subject matter at issue in this proceeding. Ex. 1036 ¶ 9. In addition, Mr. Rosenthal’s declaration complies with the other requirements for *pro hac vice* admission. *Id.* ¶¶ 1–9; *see Unified Patents*, slip op. at 3–4.

Having reviewed Mr. Rosenthal’s declaration, we determine that Mr. Rosenthal has sufficient qualifications to represent Petitioner in this proceeding. Additionally, we determine Petitioner has shown good cause for Mr. Rosenthal’s *pro hac vice* admission in this proceeding.

ORDER

ORDERED that Petitioner’s motion for *pro hac vice* admission of Brian A. Rosenthal is *granted*, and Mr. Rosenthal is authorized to represent Petitioner only as back-up counsel in this proceeding;

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

FURTHER ORDERED that Mr. Rosenthal 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

FURTHER ORDERED that Mr. Rosenthal is subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO's Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

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