

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TICKETNETWORK, INC.,  
Petitioner,

v.

CEATS, LLC,  
Patent Owner.

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Case CBM2018-00004  
Patent 8,229,774 B2

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Before MICHAEL W. KIM, WILLIAM V. SAINDON, and  
KEVIN W. CHERRY, *Administrative Patent Judges*.

CHERRY, *Administrative Patent Judge*.

ORDER

*Patent Owner's Motion for Pro Hac Vice  
Admission of David W. Affeld  
37 C.F.R. § 42.10(c)*

Patent Owner filed a motion for *pro hac vice* admission of David W. Affeld. (Paper 8; “Motion”). Petitioner has not filed an opposition to the Motion. A Declaration of David W. Affeld in Support of Motion for Admission *Pro Hac Vice* (Paper 9; “Declaration”) was submitted with the Motion. For the reasons provided below, Patent Owner’s Motion is *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, 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 this proceeding.

In this proceeding, lead counsel for Patent Owner, Brian Billett, a registered practitioner, filed the Motion. Motion 3. In the Motion, Patent Owner states there is good cause for the Board to recognize Mr. Affeld *pro hac vice* during this proceeding, because he represents Patent Owner in related litigation brought by Patent Owner. *Id.* at 3. The Motion further asserts that Mr. Affeld is familiar with the subject matter of U.S. Patent No. 8,229,774 B2 (“the ’774 patent”). *Id.* at 2.

In the Declaration, Mr. Affeld attests that he is an experienced attorney familiar with the subject matter of the ’774 patent. Declaration ¶¶ 4, 10. Mr. Affeld further declares that he has never been suspended or disbarred by any court or administrative body (*id.* ¶ 5), has not been denied for admission to practice before any court or administrative body (*id.* ¶ 6), and has not been sanctioned or cited for contempt by any court or administrative body (*id.* ¶ 5).

Mr. Affeld further states that he has read and will comply with the Office Patent Trial Practice Guide and the Board's rules as set forth in 37 C.F.R. § 42 (*id.* ¶ 7), and agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a) (*id.* ¶ 8).

It is

ORDERED that Patent Owner's Motion (Paper 8) for *pro hac vice* admission of David W. Affeld is *granted*;

FURTHER ORDERED that Patent Owner shall continue to have a registered practitioner represent it as lead counsel for the instant proceeding;

FURTHER ORDERED that Mr. Affeld shall 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. Affeld shall be 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.*

For Petitioner:

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