

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MOTOROLA MOBILITY LLC  
Petitioner,

v.

ARNOUSE DIGITAL DEVICES CORPORATION  
Patent Owner.

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Case IPR2013-00010  
Patent 7,516,484

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Before MICHAEL P. TIERNEY, JONI Y. CHANG, and  
WILLIAM V. SAINDON, *Administrative Patent Judges*.

SAINDON, *Administrative Patent Judge*.

DECISION

Patent Owner's Motion for *Pro Hac Vice* Admission of  
Mr. Geoffrey H. Hand  
*37 C.F.R. § 42.10*

## DISCUSSION

Patent Owner Arnouse Digital Devices Corporation (hereinafter “ADDC”) filed a motion for *pro hac vice* admission of Mr. Geoffrey H. Hand. Paper 35. The motion is unopposed. For the reasons provided below, ADDC’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 its Order authorizing motions for *pro hac vice* admission, the Board required 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. Paper 6.<sup>1</sup>

In this proceeding, lead counsel for ADDC, Justin W. McCabe, is a registered practitioner. ADDC’s motion indicates that there is good cause for the Board to recognize Mr. Hand *pro hac vice* during this proceeding, supported by the affidavit of Mr. Hand. In particular, Mr. Hand attests that he is an experienced litigation attorney. Paper 35 at 5.<sup>2</sup> Mr. Hand also attests that he has established familiarity with the subject matter at issue in the instant proceeding as well as the concurrent litigation. *Id.* Additionally, Mr. Hand’s affidavit complies with the requirements set forth in the Board’s order authorizing motions for *pro hac vice* admission. *Id.* at 4-5; *see* Paper 6.

In the present case, additional considerations are warranted. ADDC’s original council was granted leave to withdraw. Paper 30. ADDC’s original council also represented ADDC in the concurrent litigation. *See id.* at 5. Mr.

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<sup>1</sup> Paper 6 is listed in PRPS as document numbers 7 and 8.

<sup>2</sup> Mr. Hand’s affidavit should have been filed as a separate exhibit. 37 C.F.R. § 42.63(a).

Arnouse, the inventor and CEO of ADDC, requested to represent ADDC *pro se* or *pro hac vice* but this request was denied. *Id.* at 6-7. Shortly thereafter, Mr. McCabe, a registered practitioner, was appointed as ADDC's attorney. Paper 32.

Under the totality of the circumstances, we determine that Mr. Hand has sufficient qualifications to represent ADDC in the instant proceeding. Accordingly, ADDC has established that there is good cause for Mr. Hand's admission.

#### ORDER

It is:

ORDERED that ADDC's motion for *pro hac vice* admission of Geoffrey H. Hand is *granted*; Mr. Hand is authorized to represent ADDC as back-up counsel in the instant proceeding;

FURTHER ORDERED that ADDC is to continue to have a registered practitioner represent it as lead counsel for the instant proceeding;

FURTHER ORDERED that Mr. Hand is 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. Hand is to 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.*

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PETITIONER:

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