

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

adidas AG
Petitioner,

v.

NIKE, Inc.
Patent Owner

Case IPR2013-00067
Patent No. 7,347,011

**MOTION TO WITHDRAW BY PATENT OWNER'S
ADDITIONAL BACK-UP COUNSEL**

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. § 42.10, Patent Owner Nike, Inc.’s (“NIKE’s”) back-up counsel J. Pieter van Es, Thomas K. Pratt, H. Wayne Porter, and Joseph M. Skerpon respectfully request that the Patent Trial and Appeal Board (“the Board”) authorize their withdrawal from this proceeding.

II. Statement of Facts Showing Good Cause for the Relief Requested

On October 26, 2017, NIKE filed Updated Mandatory Notices (Paper 63) and an Updated Power of Attorney (Paper 64) appointing Christopher J. Renk of Banner Witcoff as its Lead Counsel and Michael J. Harris of Banner Witcoff as its first Back-Up Counsel. NIKE also appointed Jonathan van Es, Thomas Pratt, H. Wayne Porter, and Joseph Skerpon of Banner Witcoff as additional back-up counsel (the “Additional Back-Up Counsel”).

NIKE’s Lead Counsel and first Back-Up Counsel recently moved from Banner Witcoff to Arnold & Porter. They will continue to serve as NIKE’s Lead Counsel and first Back-Up Counsel. On August 14, 2020, NIKE filed Updated Mandatory Notices and an updated Power of Attorney with the new contact information for its Lead Counsel and first Back-Up Counsel. (Papers 72 and 73.)

NIKE’s Additional Back-Up Counsel remain at Banner Witcoff. The Additional Back-Up Counsel wish to withdraw from this proceeding. NIKE has no

objections to their withdrawal. Petitioner adidas AG has no objections to their withdrawal. And their withdrawal will not impact any deadlines in the proceeding.

Thus, pursuant to 37 C.F.R. § 42.10, J. Pieter van Es, Thomas K. Pratt, H. Wayne Porter, and Joseph M. Skerpon respectfully request that the Board grant this motion authorizing their withdrawal from this proceeding. This motion is filed pursuant to the authorization granted in the August 21, 2020, 1:07 p.m. email from Eric W. Hawthorne, Supervisory Paralegal Specialist, Patent Trial and Appeal Board.

August 24, 2020

/J. Pieter van Es /
J. Pieter van Es
Reg. No. 37,746
pvanes@bannerwitcoff.com
BANNER & WITCOFF, LTD.
71 South Wacker Drive, Suite 3600
Chicago, Illinois 60606
Telephone: 312-463-5000
Facsimile: 312-463-5001

/Thomas K. Pratt/
Thomas K. Pratt
Reg. No. 37,210
tpratt@bannerwitcoff.com
BANNER & WITCOFF, LTD.
71 South Wacker Drive, Suite 3600
Chicago, Illinois 60606
Telephone: 312-463-5000
Facsimile: 312-463-5001

/H. Wayne Porter /
H. Wayne Porter
Reg. No. 42,084

wporter@bannerwitcoff.com
BANNER & WITCOFF, LTD.
1100 13th Street, N.W., Suite 1200
Washington, DC 20005-4051
Telephone: 202-824-3000
Facsimile: 202-824-3001

/Joseph M. Skerpon/
Joseph M. Skerpon
Reg. No. 29,864
jskerpon@bannerwitcoff.com
BANNER & WITCOFF, LTD.
1100 13th Street, N.W., Suite 1200
Washington, DC 20005-4051
Telephone: 202-824-3000
Facsimile: 202-824-3001

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served on August 24, 2020, by email directed to the attorneys of record for Patent Owner and Petitioner as follows:

For Patent Owner:

Christopher J. Renk
Michael J. Harris
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, Illinois 60602-4231
chris.renk@arnoldporter.com
michael.harris@arnoldporter.com

For Petitioner:

Mitchell G. Stockwell
Vaibhav P. Kadaba
Tiffany L. Williams
KILPATRICK TOWNSEND & STOCKTON LLP
1100 Peachtree Street, NE, Suite 2800
Atlanta, Georgia 30309
mstockwell@kilpatricktownsend.com
wkadaba@kilpatricktownsend.com
tiwilliams@kilpatricktownsend.com

Theodore G. Brown III
KILPATRICK TOWNSEND & STOCKTON LLP
1080 Marsh Road
Menlo Park, California 94025
tbrown@kilpatricktownsend.com

/Carlos A. Goldie/
Carlos A. Goldie