

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMERICAN MEGATRENDS, INC., MICRO-STAR INTERNATIONAL  
CO., LTD., MSI COMPUTER CORP., GIGA-BYTE TECHNOLOGY CO.,  
LTD., AND G.B.T., INC.,  
Petitioners

v.

KINGLITE HOLDINGS, LLC,  
Patent Owner

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Cases: IPR2015-01079; -01081; -01094; -01140; -01141;  
-01191; -01197  
Patents: 6,373,498; 5,987,604; 6,401,202; 6,519,659; 6,633,976;  
6,892,304; 6,487,656

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BRIAN J. McNAMARA, *Administrative Patent Judge.*

ORDER GRANTING MOTION FOR ADMISSION PRO HAC VICE OF  
CHRISTOPHER H. ST. PETER

*37 C.F.R. § 42.10*

Cases: IPR2015-01079; -01081; -01094; -01140; -01141; -01191;  
-01197

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6,487,656

Kinglite Holding, Inc. (“Patent Owner”) moves for the *pro hac vice* admission of attorney Christopher H. St. Peter in accordance with 37 CFR 42.10 in each of the identified proceedings. American Megatrends, Inc., Micro-Star International Co., Ltd., MSI Computer Corp., Giga-Byte Technology Co., Ltd., and G.B.T., Inc. (collectively, “Petitioner”) does not oppose the Motion. We grant the Motion.

### **I. Discussion**

As set forth in 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. For example, where the lead counsel is a registered practitioner, a non-registered practitioner may be permitted to appear *pro hac vice* “upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” 37 C.F.R. § 42.10(c). In authorizing motions for *pro hac vice* admission, the Board also requires 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. (*See*, Paper 7, “Order – Authorizing Motion for *Pro Hac Vice* Admission” in IPR2013-00639, entered October 15, 2013).

Christopher H. St. Peter provides uncontroverted testimony that he:

- i. is a membership in good standing of the Bar of at least one State (Illinois);
- ii. has not been subject to any suspensions or disbarments from practice before any court or administrative body;
- iii. has never been denied any application for admission to practice before any court or administrative body;

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- iv. has not been subject to sanctions or contempt citations imposed by any court or administrative body;
- v. has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.;
- vi. will 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);
- vii. has not appeared in any other proceedings before the Office in the last three (3) years; and
- viii. has familiarity with the subject matter at issue in each proceeding and has been co-counsel in litigation involving some or all of the subject patents.

Counsel for Patent Owner in each proceeding, who is registered to practice at the USPTO, has provided a statement of facts that Mr. St. Peter is an experienced litigator, has reviewed the patents at issue and the prior art, and is familiar with the subject matter of the proceedings. Thus, Patent Owner has shown good cause why Christopher H. St. Peter should be recognized *pro hac vice* for purposes of this proceeding. Mr. St. Peter has provided the requisite affidavit or declaration. Therefore, Christopher H. St. Peter has complied with the requirements for admission *pro hac vice* in this proceeding.

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## **II. Order**

It is

ORDERED that the Motion seeking admission *pro hac vice* for Christopher H. St. Peter is GRANTED;

FURTHER ORDERED that Christopher H. St. Peter may not act as lead counsel in the proceeding;

FURTHER ORDERED that a registered practitioner must remain as lead counsel throughout the proceeding;

FURTHER ORDERED that Christopher H. St. Peter 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 the C.F.R.; and

FURTHER ORDERED that Christopher H. St. Peter 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.*, which took effect on May 3, 2013.

PETITIONER: (via electronic transmission)

vivek ganti

Gregory Ourada

vg@hkw-law.com

go@hkw-law.com

PATENT OWNER: (via electronic transmission)

Christopher Frerking

chris@ntknet.com