

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GREAT WEST CASUALTY COMPANY,  
BITCO GENERAL INSURANCE CORPORATION, and  
BITCO NATIONAL INSURANCE COMPANY,  
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,  
Patent Owner.

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Case IPR2015-01706  
Patent 7,516,177 B2

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Before MICHAEL W. KIM and ROBERT A. POLLOCK,  
*Administrative Patent Judges.*

KIM, *Administrative Patent Judge.*

ORDER

Granting Petitioner's Motion for Admission  
*Pro Hac Vice* of Irene Yang  
37 C.F.R. § 42.10

On April 10, 2019, Great West Casualty Company, Bitco General Insurance Corporation, and Bitco National Insurance Company (collectively “Petitioner”) filed a motion for admission *pro hac vice* of Irene Yang in the above-identified proceeding. Paper 41 (“Motion”). Petitioner also filed a Declaration of Ms. Yang in support of the Motion. Ex. 1050 (“Declaration”). Petitioner represents that Patent Owner does not oppose the Motion. Motion, 1. For the reasons provided below, Petitioner’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 notice authorizing motions for *pro hac vice* admission, the Board 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 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude that Ms. Yang has sufficient legal and technical qualifications to represent Petitioner in the above-identified proceeding, that Ms. Yang has demonstrated sufficient familiarity with the subject matter of the proceeding, and that Petitioner’s intent to be represented by counsel with litigation experience is warranted. Furthermore, Petitioner has also requested to withdraw two backup counsel. Paper 40. Accordingly, Petitioner has established good cause for *pro hac vice* admission of

Ms. Yang. Ms. Yang will be permitted to serve as back-up counsel only.  
*See* 37 C.F.R. § 42.10(c).

We note that Petitioner filed a Mandatory Notice identifying Ms. Yang as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3) (Paper 42) and a Power of Attorney including Ms. Yang in accordance with 37 C.F.R. § 42.10(b) (Paper 43).

Accordingly, it is:

ORDERED that Petitioner's Motion for *pro hac vice* admission of Ms. Yang is *granted*;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the above-identified proceeding;

FURTHER ORDERED that Ms. Yang is authorized to represent Petitioner only as back-up counsel in the above-identified proceeding;

FURTHER ORDERED that Ms. Yang is to comply with the Office Patent Trial Practice Guide, as updated by the August 2018 Update, 83 Fed. Reg. 39,989 (Aug. 13, 2018), 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 Ms. Yang 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.*

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