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IPR2017-00087, Paper No. 56;
IPR2017-00091, Paper No. 63;
IPR2017-00094, Paper No. 63;
IPR2017-00095, Paper No. 25;
IPR2017-00096, Paper No. 27
Entered: December 13, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CAMPBELL SOUP COMPANY,
CAMPBELL SALES COMPANY, and
TRINITY MANUFACTURING, LLC,
Petitioner,

v.

GAMON PLUS, INC.,
Patent Owner.

Cases IPR2017-00087 (Patent 8,827,111 B2);
IPR2017-00091 (Patent D621,645 S); IPR2017-00094 (Patent D612,646 S);
IPR2017-00095 (Patent D621,644 S); IPR2017-00096 (Patent D595,074 S)¹

Before GRACE KARAFFA OBERMANN, BART A. GERSTENBLITH,
and ROBERT L. KINDER, *Administrative Patent Judges*.

KINDER, *Administrative Patent Judge*.

DECISION

Granting *Pro Hac Vice* Admission of Edward P. Kelly
37 C.F.R. § 42.10

¹ We exercise our discretion to issue one Decision and Order in each of these proceedings. The parties may not use this caption style.

IPR2017-00087 (Patent 8,827,111 B2); IPR2017-00091 (Patent D621,645 S)
IPR2017-00094 (Patent D621,646 S); IPR2017-00095 (Patent D621,644 S)
IPR2017-00096 (Patent D595,074 S)

Patent Owner Gamon Plus, Inc. (“Gamon”) filed a Motion for Edward P. Kelly to Appear *Pro Hac Vice* (“Motion”) in each of the above-captioned proceedings. Paper 40, “Mot.”² Gamon indicates that Petitioners do not oppose the Motion. *Id.* at 3. Gamon also filed a Declaration of Edward P. Kelly in Support of Motion for Admission *Pro Hac Vice*. Ex. 2024.

We 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 and to any other conditions as the Board may impose.” 37 C.F.R. § 42.10(c). In authorizing motions for *pro hac vice* admission, we require the moving party to provide a statement of facts showing that there is good cause for us to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear. Paper 3, 2 (referencing IPR2013-00639, Paper 7).

Gamon’s Motion and Mr. Kelly’s Declaration show sufficiently good cause for us to recognize him as counsel *pro hac vice*.

Accordingly, we grant the Motion.

It is:

ORDERED that Gamon’s unopposed Motion for *Pro Hac Vice* Admission of Edward P. Kelly (IPR2017-00087, Paper 40; IPR2017-00091, Paper 44; IPR2017-00094, Paper 44; IPR2017-00095, Paper 22, IPR2017-00096, Paper 25) is *granted*; Mr. Kelly is authorized to represent Gamon only as back-up counsel in this proceeding;

² Citations are to IPR2017-00087 unless otherwise indicated.

IPR2017-00087 (Patent 8,827,111 B2); IPR2017-00091 (Patent D621,645 S)
IPR2017-00094 (Patent D621,646 S); IPR2017-00095 (Patent D621,644 S)
IPR2017-00096 (Patent D595,074 S)

FURTHER ORDERED that Gamon is to continue to have a registered practitioner represent it as lead counsel for this proceeding;

FURTHER ORDERED that Mr. Kelly 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. Kelly 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.*

IPR2017-00087 (Patent 8,827,111 B2); IPR2017-00091 (Patent D621,645 S)
IPR2017-00094 (Patent D621,646 S); IPR2017-00095 (Patent D621,644 S)
IPR2017-00096 (Patent D595,074 S)

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