

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KINGSTON TECHNOLOGY COMPANY, INC.,  
Petitioner,

v.

POLARIS INNOVATIONS LTD.,  
Patent Owner.

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Case IPR2017-00114 (Patent 7,206,978 B2)<sup>1</sup>  
Case IPR2017-00116 (Patent 7,334,150 B2)

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Before SALLY C. MEDLEY, BARBARA A. PARVIS, and  
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

DECISION  
Granting Patent Owner's Motion for  
*Pro Hac Vice* Admission of Nathan Nobu Lowenstein  
37 C.F.R. § 42.10

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<sup>1</sup> This order addresses issues that are the same in all identified cases. We exercise our discretion to issue one order to be filed in each case. The parties, however, are not authorized to use this style heading in subsequent papers.

## I. INTRODUCTION

On February 16, 2017, Polaris Innovations Ltd. (“Patent Owner”) filed Motions for *Pro Hac Vice* Admission of Nathan Nobu Lowenstein. Paper 7 (“Mot.”).<sup>2</sup> Petitioner did not file an opposition. For the reasons provided below, Patent Owner’s Motions are *granted*.

## II. DISCUSSION

In accordance with 37 C.F.R. § 42.10(c), 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. In these proceedings, lead counsel for Patent Owner, Kenneth J. Weatherwax, is a registered practitioner. Patent Owner asserts that there is good cause for us to recognize Mr. Lowenstein *pro hac vice* in these proceedings. Mot. 7. Patent Owner’s assertions in this regard are supported by the Declaration of Mr. Lowenstein. Ex. 2003.

Based on the facts set forth in the Motions and the accompanying Declarations from Mr. Lowenstein, we conclude that Mr. Lowenstein has sufficient legal and technical qualifications to represent Patent Owner in these cases, that Mr. Lowenstein has demonstrated the necessary familiarity with the subject matter of these cases, and that there is a need for Patent Owner to have counsel with experience as a litigation attorney in patent matters involved in these cases. Accordingly, Patent Owner has established good cause for Mr. Lowenstein’s *pro hac vice* admission. Mr. Lowenstein will be permitted to appear *pro hac vice* in these cases as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

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<sup>2</sup> For purposes of expediency, we refer to the papers filed in Case IPR2017-00114. Similar papers were filed in Case IPR2017-00116.

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### III. ORDER

Accordingly, it is ORDERED that Patent Owner's unopposed Motions for *pro hac vice* admission of Mr. Nathan Nobu Lowenstein are *granted*, and Mr. Lowenstein is authorized to represent Patent Owner as back-up counsel in these proceedings only;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Lowenstein shall 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. Lowenstein shall be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), as well as the Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*

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