

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NETAPP, INC., LENOVO (UNITED STATES) INC., and EMC CORP.,  
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,  
Patent Owner.

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Case IPR2017-00467  
Patent 6,968,459 B1

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Before THOMAS L. GIANNETTI, PATRICK M. BOUCHER, and  
KAMRAN JIVANI, *Administrative Patent Judges*.

JIVANI, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Unopposed Motion to  
Withdraw and Substitute Counsel  
*37 C.F.R. § 42.10(e)*

On April 20, 2018, with prior authorization, Patent Owner filed a Motion to Withdraw and Substitute Counsel pursuant to 37 C.F.R. § 42.10(e) in the proceeding identified above. Paper 14 (“Motion”). In its Motion, Patent Owner moves to withdraw Ms. Lori A. Gordon as lead counsel because she “is no longer associated with the law firm STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.” and to designate Mr. Byron L. Pickard, who is currently back-up counsel, as lead counsel in this proceeding. Motion 1. Patent Owner submitted a Power of Attorney, which lists Mr. Pickard as lead counsel and designates additional individuals as back-up counsel. Paper 15, 1. Patent Owner indicates that Petitioner does not oppose this Motion. Motion 1.

Under the particular circumstances presented in this case, we conclude that good cause exists to allow Patent Owner’s current lead counsel to withdraw from this proceeding, thereby allowing Patent Owner to appoint new lead counsel and back-up counsel.

In consideration of the foregoing, it is:

ORDERED that Patent Owner’s Motion is *granted*, and Ms. Gordon is allowed to withdraw as lead counsel from this proceeding; and

FURTHER ORDERED that Patent Owner must file updated mandatory notices identifying lead and back-up counsel in accordance with 37 C.F.R. §§ 42.8 and 42.10, within seven (7) business days of the date of this Order.

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