

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SKECHERS U.S.A., INC.,  
Petitioner,

v.

NIKE, INC.,  
Patent Owner.

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Cases IPR2017-00607 (Patent D696,853), IPR2017-00608 (Patent D707,032), IPR2017-00617 (Patent D723,772), IPR2017-00619 (Patent D725,356), IPR2017-00620 (Patent D723,783), IPR2017-00621 (Patent D723,781), IPR2017-00623 (Patent D725,359)<sup>1</sup>

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Before KEN B. BARRETT, SCOTT A. DANIELS, and  
TRENTON A. WARD, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge*.

ORDER  
Petitioner's Motion for *Pro Hac Vice*  
Admission of Morgan Chu  
*37 C.F.R. § 42.10*

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<sup>1</sup> This Order will be entered in each case. The parties are not authorized to use this caption style.

Case IPR2017-00607 (Patent D696,853), Case IPR2017-00608 (Patent D707,032), Case IPR2017-00617 (Patent D723,772), Case IPR2017-00619 (Patent D725,356), Case IPR2017-00620 (Patent D723,783), Case IPR2017-00621 (Patent D723,781), Case IPR2017-00623 (Patent D725,359)

On February 10, 2017, Petitioner filed a motion for *Pro Hac Vice* Admission of Morgan Chu. Paper 6 (“Motion”).<sup>2</sup> The Motion is supported by a declaration of Mr. Chu. Ex. 1010. Patent Owner does not oppose the Motion. Motion 3.

Upon review of the record before us, we note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Mr. Chu. In view thereof, Petitioner’s Motion is *conditionally granted*, and is to be effective after the aforementioned item is corrected.

Notwithstanding the absence of a Power of Attorney, we determine that the requirements of 37 C.F.R. § 42.10 have been met and there is good cause to admit Mr. Chu *pro hac vice*.

It is, therefore,

ORDERED that Petitioner’s Motions for *Pro Hac Vice* admission of Morgan Chu are conditionally granted provided that within seven (7) business days of the date of this order, Petitioner must submit a Power of Attorney in accordance with 37 C.F.R. § 42.10(b); Mr. Chu is authorized to act as back-up counsel in the instant proceedings only;

FURTHER ORDERED that Petitioner must file updated mandatory notices identifying Mr. Chu as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the instant proceedings;

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<sup>2</sup> For purposes of expediency, we refer to the papers filed in IPR2017-00607. Petitioner filed similar papers in the other cases listed in the caption.

Case IPR2017-00607 (Patent D696,853), Case IPR2017-00608 (Patent D707,032),  
Case IPR2017-00617 (Patent D723,772), Case IPR2017-00619 (Patent D725,356),  
Case IPR2017-00620 (Patent D723,783), Case IPR2017-00621 (Patent D723,781),  
Case IPR2017-00623 (Patent D725,359)

FURTHER ORDERED that Mr. Chu 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. Chu 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.*

For PETITIONER:

Samuel K. Lu  
Michael R. Fleming  
Irell & Manella LLP  
[slu@irell.com](mailto:slu@irell.com)  
[mflaming@irell.com](mailto:mflaming@irell.com)  
[skecherNikeIPR@irell.com](mailto:skecherNikeIPR@irell.com)

For PATENT OWNER:

Christopher J. Renk  
Erik S. Maurer  
Banner & Witcoff, LTD.  
[crenk@bannerwitcoff.com](mailto:crenk@bannerwitcoff.com)  
[emaurer@bannerwitcoff.com](mailto:emaurer@bannerwitcoff.com)