

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FISHER & PAYKEL HEALTHCARE LIMITED,
Petitioner,

v.

RESMED LIMITED,
Patent Owner.

Case IPR2017-00632
Patent 8,944,061 B2

Before BARRY L. GROSSMAN, BEVERLY M. BUNTING and
JAMES J. MAYBERRY, *Administrative Patent Judges*.

BUNTING, *Administrative Patent Judge*.

ORDER

*Granting Motions for Pro Hac Vice Admission
of Geoffrey D. Biegler and Jason M. Zucchi
37 C.F.R. § 42.10*

Patent Owner filed Unopposed Motions for *Pro Hac Vice* Admission of Geoffrey D. Biegler (Paper 12) and Jason M. Zucchi (Paper 13) (“Motions”). Patent Owner also filed Declarations of Mr. Biegler (Ex. 2001) and Mr. Zucchi (Ex. 2002) in support, respectively, of the Motions. (“Declarations”). The Motions and Declarations establish that Messrs. Biegler and Zucchi are experienced litigating attorneys, have familiarity with the subject matter at issue in this proceeding, and otherwise satisfy all requirements for *pro hac vice* admission to a proceeding before the Board. *See* Paper 12; Ex. 2001; *see also* Paper 13; Ex. 2002. Patent Owner indicates that it would be prejudiced if Messrs. Biegler and Zucchi are not admitted. Paper 12, 5; Paper 13, 4. Patent Owner attests that Petitioner does not oppose the Motions. Paper 12, 1; Paper 13, 1.

Patent Owner must submit Powers of Attorney for Messrs. Biegler and Zucchi in accordance with 37 C.F.R. § 42.10(b), and must update its Mandatory Notice as required by 37 C.F.R. § 42.8(b)(3).

After considering Patent Owner’s Motions and the Declarations, it is:
ORDERED that Patent Owner’s Motions for *pro hac vice* admission of Messrs. Biegler and Zucchi are *granted*;

FURTHER ORDERED that, within seven (7) business days of the date of this Order, Patent Owner must submit Powers of Attorney for Messrs. Biegler and Zucchi in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Patent Owner must file an updated Mandatory Notice identifying Messrs. Biegler and Zucchi as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

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FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in the instant proceeding, but Messrs. Biegler and Zucchi are authorized to be designated as backup counsel; and

FURTHER ORDERED that Messrs. Biegler and Zucchi are to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the C.F.R., and are subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a) and the USPTO Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.*

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