

Filed on behalf of:  
Johns Manville  
By: Kristopher L. Reed (Lead Counsel)  
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David E. Sipiora (Back-up Counsel)  
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Paper No. 10  
Date: July 21, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GUARDIAN BUILDING PRODUCTS, INC.  
Petitioner

v.

JOHNS MANVILLE  
Patent Owner

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Case IPR2017-00633  
U.S. Patent No. 6,245,282

**PATENT OWNER'S UNOPPOSED MOTION FOR WITHDRAWAL AND  
SUBSTITUTION OF COUNSEL**

## **I. PRECISE RELIEF REQUESTED**

Pursuant to 37 C.F.R. § 42.10, Patent Owner respectfully requests that the Board authorize withdrawal of its current counsel, Kilpatrick Townsend & Stockton LLP, including its designated lead counsel Kristopher L. Reed (Reg. No. 58,694) and back-up counsel David E. Sipiora (*pro hac vice* to be filed).

Patent Owner further requests that the Board authorize registered practitioner Dinesh N. Melwani (Reg. No. 60,670) of Bookoff McAndrews, PLLC to appear as lead counsel, and Thara L. Russell (Reg. No. 75,005) of Bookoff McAndrews, PLLC to appear as back-up counsel, for Patent Owner in this proceeding. Robert Touslee will remain as additional back-up counsel.

## **II. STATEMENT SHOWING GOOD CAUSE FOR THE BOARD TO AUTHORIZE WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

On January 30, 2017, Patent Owner filed a Power of Attorney designating the practitioners associated with Kilpatrick Townsend & Stockton LLP, including Kristopher L. Reed (Reg. No. 58,694) and David E. Sipiora as its counsel in this proceeding. (Paper No. 5.)

Patent Owner simultaneously filed its mandatory disclosures, naming Mr. Reed as its lead counsel and Mr. Sipiora as its back-up counsel, subject to the Board admitting Mr. Sipiora *pro hac vice*. (Paper No. 4.) On May 1, 2017, Patent Owner filed updated mandatory disclosures adding Robert D. Touslee (Reg. No. 34,032) as additional back-up counsel. (Paper No. 8.)

As set forth in Patent Owner's Updated Power of Attorney, filed concurrently with this motion, Patent Owner has revoked its Power of Attorney to Kilpatrick Townsend & Stockton LLP (*i.e.*, Mr. Reed and Mr. Sipiora) in this proceeding, and appointed practitioner Dinesh N. Melwani (Reg. No. 60,670) of Bookoff McAndrews, PLLC as its lead counsel and Thara L. Russell (Reg. No. 75,005) as back-up counsel. Therefore, Patent Owner respectfully submits that good cause exists for the withdrawal of Kilpatrick Townsend & Stockton LLP as counsel, and Mr. Reed as lead counsel and Mr. Sipiora as back-up counsel, in this proceeding.

Patent Owner further requests that Mr. Melwani, a registered practitioner, be designated as its new lead counsel and Ms. Russell as its new back-up counsel (in addition to Mr. Touslee continuing as additional back-up counsel). In designating the client's chosen registered practitioner as new lead counsel and back-up counsel, reasonable steps have been taken to avoid foreseeable prejudice to the rights of the client. *See* 37 C.F.R. § 10.40(a). Further, Patent Owner believes that granting this motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. *See* 35 U.S.C. § 316(b).

### III. PETITIONER DOES NOT OPPOSE THIS MOTION

Petitioner has indicated that it does not oppose the requested withdrawal and substitution of counsel for Patent Owner.

### IV. CONCLUSION

Patent Owner respectfully requests that the Board grant this motion and (i) authorize withdrawal of Kilpatrick Townsend & Stockton LLP as counsel, and Kristopher L. Reed (Reg. No. 58,694) as lead counsel, and David E. Sipiora as back-up counsel, for Patent Owner in this proceeding, and (ii) authorize Dinesh N. Melwani (Reg. No. 60,670) to appear as lead counsel, and Thara L. Russell (Reg. No. 75,005) as back-up counsel, for Patent Owner in this proceeding.

Upon grant of this motion, Patent Owner's new lead counsel will promptly file updated mandatory disclosures.

Dated: July 21, 2017

Respectfully submitted,

Lead Counsel for Patent Owner:

By: /s/ *Kristopher L. Reed*  
Kristopher L. Reed  
Registration No. 58,694

## CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on this 21<sup>st</sup> day of July, 2017, I caused a true and correct copy of the foregoing **PATENT OWNER'S UNOPPOSED MOTION FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL** to be served via e-mail (as agreed by Counsel for Petitioner) on the following counsel of record for the Petitioner:

R. David Donoghue (Lead Counsel)  
Steven E. Jedlinski (Back-up Counsel)  
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Dated: July 21, 2017

By: /s/ *Kristopher L. Reed*

Kristopher L. Reed

Registration No. 58,694

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