

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMAZON.COM, INC. and AMAZON WEB SERVICES, INC.,  
Petitioner,

v.

BROADCOM CORPORATION,  
Patent Owner.

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Cases<sup>1</sup>

IPR2017-00811 (Patent 7,296,295 B2)  
IPR2017-00814 (Patent 6,766,389 B2)

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ARPIN, *Administrative Patent Judge.*

DECISION  
Motion to Withdraw  
*37 C.F.R. § 42.10(e)*

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<sup>1</sup> This Decision applies to each of the listed cases. The parties are not authorized to use a multiple case caption.

IPR2017-00811 (Patent 7,296,295 B2)  
IPR2017-00814 (Patent 6,766,389 B2)

On August 7, 2017, Petitioners' counsel contacted the Board by e-mail seeking permission to file a Motion to Withdraw its back-up counsel and to replace its back-up counsel. On August 8, 2017, the Board responded by e-mail authorizing Petitioner to file the requested Motion to Withdraw along with a replacement Power of Attorney. Petitioner has filed the authorized Motion to Withdraw<sup>2</sup> its current back-up counsel, David M. Saunders, and to replace Mr. Saunders with Richard Z. Zhang as back-up counsel. Petitioner also filed a replacement Power of Attorney<sup>3</sup> naming Mr. Zhang as counsel. Patent Owner does not oppose this withdrawal and replacement of Petitioner's back-up counsel. *E.g.*, IPR2017-00811, Paper 9, 3. For the following reasons, the motion is *granted*.

#### DISCUSSION

Counsel may withdraw from an *inter partes* review proceeding only with authorization from the Board. 37 C.F.R. § 42.10(e). The motion indicates that "Mr. Saunders has accepted an in-house position at Immersion Corporation. As such, he is transitioning out of Fisch Sigler LLP . . . ." *E.g.*, IPR2017-00811, Paper 9, 2. Further, Petitioner states that "[i]f Mr. Saunders were permitted to withdraw, Petitioners retain lead counsel[, Joseph F. Edell,] and at least one back-up counsel[, Richard Z. Zhang,] in this proceeding" *Id.* Both listed attorneys are from the same law firm and are registered patent attorneys.

Under these circumstances and in the absence of opposition from Patent Owner, we *grant* Petitioner's Motion.

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<sup>2</sup> IPR2017-00811, Paper 9; IPR2017-00814, Paper 9.

<sup>3</sup> IPR2017-00811, Paper 8; IPR2017-00814, Paper 8.

IPR2017-00811 (Patent 7,296,295 B2)

IPR2017-00814 (Patent 6,766,389 B2)

## ORDER

It is therefore

ORDERED that Petitioner's Motion is *granted*;

FURTHER ORDERED that David M. Saunders is permitted to withdraw as back-up counsel for Petitioner in these proceedings; and

FURTHER ORDERED that Richard Z. Zhang is recognized as back-up counsel for Petitioner in these proceedings.

### PETITIONER:

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