

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TELULAR CORPORATION,
Petitioner,

v.

PERDIEM CO., LLC.,
Patent Owner.

Cases¹

IPR2017-00968 (Patent 9,485,314)
IPR2017-00969 (Patent 8,149,113)
IPR2017-00973 (Patent 9,319,471)
IPR2017-01007 (Patent 9,119,033)
IPR2017-01269 (Patent 9,621,661)

Before WILLIAM V. SAINDON, CARL M. DEFRANCO, and
AMBER L. HAGY, *Administrative Patent Judges*.

HAGY, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motion to Substitute Counsel
37 C.F.R. § 42.10

¹ This Order addresses issues that are substantially similar in the cases. We exercise our discretion to issue one order to be filed in each case.

IPR2017-00968 (Patent 9,485,314)
IPR2017-00969 (Patent 8,149,113)
IPR2017-00973 (Patent 9,319,471)
IPR2017-01007 (Patent 9,119,033)
IPR2017-01269 (Patent 9,621,661)

On July 18, 2017, pursuant to Board authorization, Petitioner filed a Motion To Substitute Counsel for each of these proceedings. *E.g.*, IPR2016-01061, Paper 40 (“Motion”). Petitioner seeks withdrawal of its current backup counsel, Mr. Sharad Bijanki, and replacement of Mr. Bijanki as backup counsel with an attorney at the same firm, Mr. Steven G. Hill. Motion 2. In a motion filed concurrently, Petitioner seeks admission of Mr. Hill *pro hac vice*. IPR2016-01061, Paper 41 and Exhibit A, which, by way of separate order, we have granted. Included within Petitioner’s motion is a mandatory notice under 37 C.F.R. § 42.8(b) identifying Mr. Hill as backup counsel. In an email dated July 14, 2017, to the Board from counsel for Petitioner seeking authorization to file the present motion, Petitioner represented that “[t]he parties have conferred and Patent Owner does not oppose.”

Counsel may withdraw from an *inter partes* review proceeding only with authorization from the Board. 37 C.F.R. § 42.10(e). Here, we discern no reason to deny Petitioner’s motion to substitute Mr. Bijanki with Mr. Hill. The change of counsel would not cause any prejudice to either party or unnecessary delays in the proceedings, as Petitioner does not seek any extensions of time.

It is therefore:

ORDERED that Petitioner’s Motion to Substitute Counsel is granted;
FURTHER ORDERED that Mr. Sharad Bijanki is withdrawn as
backup counsel from these proceedings; and

IPR2017-00968 (Patent 9,485,314)
IPR2017-00969 (Patent 8,149,113)
IPR2017-00973 (Patent 9,319,471)
IPR2017-01007 (Patent 9,119,033)
IPR2017-01269 (Patent 9,621,661)

FURTHER ORDERED that Mr. Steven G. Hill is recognized as
backup counsel for Petitioner in these proceedings.

PETITIONER:

Vivek Ganti
Sharad Bijanki
HILL, KERTSCHER & WHARTON, LLP
vg@hkw-law.com
sb@hkw-law.com

PATENT OWNER:

Alan Whitehurst
Marissa R. Ducca
QUINN EMANUEL URQUHART & SULLIVAN, LLP
alanwhitehurst@quinnemanuel.com
marissaducca@quinnemanuel.com

Robert Babayi
VECTOR IP LAW GROUP
robert@vectoriplaw.com