

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WESTINGHOUSE AIR BRAKE TECHNOLOGIES CORPORATION,
Petitioner,

v.

SIEMENS INDUSTRY, INC.,
Patent Owner.

Case IPR2017-01263 (Patent 6,996,461 B2)
Case IPR2017-01270 (Patent 7,236,860 B2)

Before KRISTEN L. DROESCH, MEREDITH C. PETRAVICK, and
TIMOTHY J. GOODSON, *Administrative Patent Judges*.

GOODSON, *Administrative Patent Judge*.

DECISION

Granting Motions for *Pro Hac Vice* Admission
37 C.F.R. § 42.10

Case IPR2017-01263 (Patent 6,996,461 B2)

Case IPR2017-01270 (Patent 7,236,860 B2)

Patent Owner filed a Motion for *Pro Hac Vice* Admission of Mark M. Supko (Paper 6¹), supported by a Declaration of Mr. Supko (Ex. 2001) and Mr. Supko's biography (Ex. 2002) in each of the above-identified cases. The Motions are unopposed.

Pursuant to 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner. In authorizing motions for *pro hac vice*, we require the moving party to provide a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear in the proceedings.

Upon review of Patent Owner's Motions and supporting evidence, we determine that Patent Owner has demonstrated that Mr. Supko has sufficient legal and technical qualifications to represent Patent Owner in these proceedings. We also recognize that there is a need for Patent Owner to have Mr. Supko be involved in these proceedings. Accordingly, Patent Owner has established that there is good cause for admitting Mr. Supko.

Accordingly, it is

ORDERED that Patent Owner's Motions for *Pro Hac Vice* Admission of Mr. Supko are *granted*; Mr. Supko is authorized to represent Patent Owner as back-up counsel in the above-identified cases;

¹ All citations are to IPR2017-01263, as representative. Petitioner filed an identical motion and supporting evidence in Case IPR2017-01270.

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FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel for the above-identified cases; and

FURTHER ORDERED that Mr. Supko 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 Mr. Supko 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.*

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