

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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C&D ZODIAC, INC.  
Petitioner,

v.

B/E AEROSPACE, INC.  
Patent Owner.

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Case IPR2017-01274  
Patent 9,365,292

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**PATENT OWNER B/E AEROSPACE INC.'S MOTION FOR  
WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

Mail Stop "PATENT BOARD"  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**I. 37 C.F.R. § 42.10 – STATEMENT OF RELIEF REQUESTED**

Pursuant to 37 C.F.R. 42.10, Patent Owner B/E Aerospace, Inc. respectfully requests that the Board authorize withdrawal of Andrei Iancu as lead counsel in this matter, and further withdraw Mr. Iancu as counsel of record.

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

On May 4, 2017, Patent Owner submitted its Power of Attorney appointing Andrei Iancu and Benjamin Haber as its counsel in the above-captioned *Inter Partes* Review (Paper 4). Patent Owner subsequently added Michael R. Fleming as additional backup counsel in its Updated Mandatory Notice filed August 15, 2017 (Paper 9).

For good cause, patent owner requests that Andrei Iancu be deemed withdrawn from the present proceeding, and Michael R. Fleming (Reg. No. 67,933) be re-designated as Lead Counsel. Benjamin Haber (Reg. No. 67,129) will remain as First Backup Counsel. The good cause includes, for example, that Mr. Iancu will be leaving the firm representing B/E Aerospace.

Reasonable steps have been taken to avoid any foreseeable prejudice to the rights of the Patent Owner, including giving due notice thereto. Patent Owner agrees that Mr. Iancu's withdrawal from this matter is in their best interest at this time. Further granting this motion will not hinder the economy,

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the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. The remaining counsel of record from Irell and Manella, whom have prosecuted this IPR to-date, will remain counsel of record.

### **III. PETITIONER DOES NOT OBJECT TO THE SUBSTITUTION**

Petitioner has indicated it does not oppose the requested withdrawal and re-designation of counsel for Patent Owner.

Dated: October 27, 2017

Respectfully submitted,

*/s/ Benjamin Haber*

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Benjamin Haber, Reg. No. 67,129

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on October 27, 2017, a copy of the foregoing document was served upon the following, by email to [Zodiac-BE-IPR@kilpatricktownsend.com](mailto:Zodiac-BE-IPR@kilpatricktownsend.com):

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