

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DONGHEE AMERICA, INC. and DONGHEE ALABAMA, LLC,
Petitioner,

v.

PLASTIC OMNIUM ADVANCED INNOVATION AND RESEARCH,
Patent Owner.

Case IPR2017-01605¹ (Patent 7,166,253 B2)
Case IPR2017-01633 (Patent 6,866,812 B2)
Case IPR2017-01647 (Patent 6,814,921 B1)
Case IPR2017-01654 (Patent 9,079,490 B2)
Case IPR2017-01890 (Patent 9,399,327 B2)
Case IPR2017-01945 (Patent 9,399,326 B2)

Before MITCHELL G. WEATHERLY, CHRISTOPHER M. KAISER, and
ROBERT L. KINDER, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

ORDER
Petitioner's Motions for *Pro Hac Vice* Admission
37 C.F.R. § 42.10

¹ We exercise our discretion to issue one order to be entered in these six proceedings. The parties are not authorized to use this style heading for subsequent papers without prior Board approval.

IPR2017-01605 (Patent 7,166,253 B2)
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On July 5, 2018, Petitioner filed a *Pro Hac Vice* Motion to Admit Nicholas H. Lam in each of the above-referenced proceedings (collectively, “Motions”). IPR2017-01605, Paper 25.² The Motions are supported by the Declarations of Mr. Lam. IPR2017-01605, Paper 26.³ Petitioner represents in the Motions that Mr. Lam is an experienced patent litigation attorney and that good cause exists for the Board to recognize Mr. Lam *pro hac vice*. Paper 25, 5–6. Mr. Lam represents that he has sufficient familiarity with the subject matter of this proceeding. Paper 26 ¶ 4. Petitioner represents that counsel for Patent Owner does not oppose the Motions. Paper 25, 3.

In accordance with 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing good cause exists for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in the proceeding. See Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*,

² The Motions for Mr. Lam that Petitioner filed in these proceedings are substantively identical. Accordingly, we refer to the papers filed in IPR2017-01605 unless otherwise noted. In addition to IPR2017-01605, Paper 25, this Order resolves IPR2017-01633, Paper 20; IPR2017-01647, Paper 19; IPR2017-01654, Paper 22; IPR2017-01890, Paper 19; and IPR2017-01945, Paper 19.

³ Petitioner filed the Declarations as Papers. Petitioner is reminded again that affidavits and declarations must be filed as exhibits so that they may be referenced individually by exhibit number. See 37 C.F.R. § 42.63. Further, Exhibits should be given a title in PTAB-E2E more descriptive than the exhibit number (i.e., Exhibit 1002, or Exhibit 2002). For example, Exhibit 1001 could have been titled “The ’253 patent,” or similar.

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Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order — Authorizing Motion for *Pro Hac Vice* Admission”).

The Board has reviewed the submissions and determined that the requirements of 37 C.F.R. § 42.10 have been met and good cause exists to admit Mr. Lam *pro hac vice* in these proceedings.

It is, therefore,

ORDERED that the Petitioner’s Motion seeking admission *pro hac vice* for Nicholas H. Lam in each of these proceedings is GRANTED;

FURTHER ORDERED that Petitioner must file an updated mandatory notice identifying Mr. Lam as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Mr. Lam is authorized to represent Petitioner as back-up counsel only, and that Petitioner is to continue to have a registered practitioner represent it as lead counsel;

FURTHER ORDERED that Mr. Lam shall comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.; and

FURTHER ORDERED that Mr. Lam 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.*, which took effect on May 3, 2013.

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PETITIONER:

Alyssa Caridis
Bas de Blank
Donald Daybell
ORRICK, HERRINGTON, & SUTCLIFFE LLP
a8cptabdocket@orrick.com
m2bptabdocket@orrick.com
d2dptabdocket@orrick.com

PATENT OWNER:

Robert C. Mattson
Vincent Shier
Christopher Ricciuti
OBLON, MCCLELLAND, MAIER & NEUSTADT, LLP
CPDocketMattson@oblon.com
CPDocketShier@oblon.com
CPDocketRicciuti@oblon.com