

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOKIA OF AMERICA CORPORATION,
Petitioner,

v.

BLACKBERRY LTD.,
Patent Owner.

Case IPR2018-00635 Patent 6,996,418 B2
Case IPR2018-00637 Patent 8,897,192 B2¹

Before JAMES B. ARPIN, GARTH D. BAER, and AARON W. MOORE,
Administrative Patent Judges.

ARPIN, *Administrative Patent Judge.*

DECISION

Granting Petitioner's Unopposed Motions for
Pro Hac Vice Admission of Jonas R. McDavit, Richard M. Crowell, and
Michael Wueste
37 C.F.R. § 42.10(c)

¹ This Decision applies to each of the listed cases. We exercise our discretion to issue one Decision to be entered in each case. The parties are not authorized to use a multiple case caption.

I. INTRODUCTION

Nokia of America Corporation (“Petitioner”) filed Motions for *Pro Hac Vice* Admission of Jonas R. McDavit, Richard M. Crowell, and Michael Wueste. IPR2018-00635, Papers 11–13; IPR2018-00637, Papers 12–14 (“the Motions”). Petitioner states that it has conferred with BlackBerry Ltd. (“Patent Owner”) and that Patent Owner does not oppose the Motions. *E.g.*, IPR2018-00635, Paper 11, 1 (“Nokia has conferred with counsel for Patent Owner, who confirmed that Patent Owner does not oppose this motion.”). For the reasons provided below, the Motions are *granted*.

II. DISCUSSION

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, subject to the condition that lead counsel be a registered practitioner. The representative Order authorizing motions for *pro hac vice* admission requires 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. *See, e.g.*, IPR2018-00635, Paper 5, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

In each of these proceedings, lead counsel for Petitioner, Kevin K. McNish, is a registered practitioner. *E.g.*, IPR2018-00635, Paper 11, 5. Petitioner asserts that there is good cause for us to recognize Mr. McDavit, Mr. Crowell, and Mr. Wueste *pro hac vice* in these proceedings. *Id.* Petitioner’s assertions in this regard are adequately supported by the Affidavits of Mr. McDavit, Mr. Crowell, and Mr. Wueste

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and their biographies. IPR2018-00635, Exs. 1008–1010; IPR2018-00637, Exs. 1012–1014.

Having considered Petitioner’s unopposed Motions and the exhibits filed in support of the Motions, Petitioner has established that there is good cause for the *pro hac vice* admission of Mr. McDavit, Mr. Crowell, and Mr. Wueste in each proceeding.

III. ORDER

Accordingly, it is

ORDERED that Petitioner’s unopposed Motions for *Pro Hac Vice* Admission of Richard M. Crowell, Jonas R. McDavit, and Michael Wueste in Cases IPR2018-00635 and IPR2018-00637 are *granted*, and Mr. McDavit, Mr. Crowell, and Mr. Wueste are authorized to represent Petitioner as back-up counsel only in these proceedings;

FURTHER ORDERED that Petitioner shall continue to have a registered practitioner represent it as lead counsel in these proceedings;

FURTHER ORDERED that Mr. McDavit, Mr. Crowell, and Mr. Wueste 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 Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Mr. McDavit, Mr. Crowell, and Mr. Wueste shall be subject to the Office’s disciplinary jurisdiction under 37 C.F.R. § 11.19(a), as well as the Office’s Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*

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