

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KOKUSAI ELECTRIC CORPORATION,
Petitioner,

v.

ASM IP HOLDING B.V.,
Patent Owner.

Case IPR2018-01151
Patent 7,537,662 B2

Before MICHAEL P. TIERNEY, *Vice Chief Administrative Patent Judge*,
DONNA M. PRAISS, and CHRISTOPHER L. CRUMBLEY,
Administrative Patent Judges.

PRAISS, *Administrative Patent Judge*.

ORDER

Petitioner's Unopposed Motion for Admission *Pro Hac Vice* of
Austin Zuck
37 C.F.R. § 42.10

On June 13, 2019, Petitioner filed a Motion for Admission *Pro Hac Vice* of Austin Zuck. Paper 29 (“Motion”). The Motion is supported by a Declaration of Mr. Zuck. Ex. 1028. Petitioner represents that Patent Owner does not oppose the Motion. Paper 29, 3.

Upon review of the record before us, we determine that the requirements of 37 C.F.R. § 42.10 have been met and there is good cause to admit Mr. Zuck *pro hac vice*.

It is

ORDERED that Petitioner’s unopposed motion for *pro hac vice* admission of Mr. Zuck is *conditionally granted*, provided that within ten (10) business days of the date of this order, Petitioner must submit a Power of Attorney for Mr. Zuck in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Mr. Zuck is authorized to represent Petitioner only as back-up counsel in the instant proceeding;

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

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the instant proceeding;

FURTHER ORDERED that Mr. Zuck is to comply with the Office Patent Trial Practice Guide, including the August 2018 Update, 83 Fed. Reg. 39,989 (Aug. 13, 2018), and the Board’s Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

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FURTHER ORDERED that Mr. Zuck 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.*¹

¹ Mr. Zuck declares he will be “subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. § 10.20 *et seq.*,” rather than the *USPTO Rules of Professional Conduct* set forth in 37 C.F.R. §§ 11.101 *et seq.* Ex. 1028 ¶ 9. We deem this to be harmless error.

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