

Filed on behalf of: Michael Scianamblo

Paper _____

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Date filed: July 31, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDGE ENDO, LLC,
Petitioner,

v.

MICHAEL SCIANAMBLO,
Patent Owner.

Case IPR2018-01320
Patent 8,882,504

**PATENT OWNER'S MOTION FOR ADMISSION
PRO HAC VICE OF RACHEL M. ECHOLS**

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

I. Relief Requested

Pursuant to 37 C.F.R. § 42.10, Patent Owner Michael Scianamblo (“Patent Owner”) requests that the Board admit Rachel M. Echols *pro hac vice* in this proceeding to serve as back-up counsel.

II. Statement of Facts Showing There is Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding

In accordance with 37 C.F.R. § 42.10(c), the Board 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 and to any other conditions as the Board may impose. § 42.10(c) indicates that, “where lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Rachel M. Echols *pro hac vice* during this proceeding, so that he may participate in, *inter alia*, oral hearings, depositions, and conferences with the Board.

1. Lead counsel, Joseph a. Hynds, is a registered practitioner.

2. Counsel, Rachel M. Echols, is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion is the Declaration of Rachel M. Echols in Support of Patent Owner's Motion for Admission *Pro Hac Vice* ("Echols Decl."). Ms. Echols is a member in good standing of the Bar of the District of Columbia, admitted to practice in the United States District Courts for the District of Columbia and Maryland. Echols Decl., ¶ 2. Ms. Echols is also admitted to practice in the Courts of Appeals for the District of Columbia, the Fourth Circuit, and the Federal Circuit. *Id.* Ms. Echols has been litigating patent cases since 1997. *Id.*, ¶ 3.

3. Ms. Echols is familiar with the subject matter at issue in this proceeding by virtue of her representing the Patent Owner in a lawsuit brought against the Petitioner, *Dentsply Sirona Inc. et al. v. Edge Endo, LLC et al.*, Case No. 1:17-cv-01041-WJ-SCY (D. N.M.), involving the patent at issue in this proceeding. Echols Decl., ¶ 10.

4. Ms. Echols attests to each of the listed items required by the "Order -- Authorizing Motion for *Pro Hac Vice* Admission in Case IPR2013-00639" referenced in the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, mailed July 18, 2018 (Paper 3). *See* Echols Decl., ¶¶ 1-10.

5. Ms. Echols has read and will 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. Echols Decl., ¶ 7. Ms. Echols agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a) and to be subject to the USPTO Rules of Professional Conduct as set forth in Changes to Representation of Others Before the United States Patent and Trademark Office; Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013) (effective May 3, 2013). Echols Decl., ¶ 8.

III. Conclusion

The requirements for admission *pro hac vice* being hereby established, Patent Owner Michael Scianamblo, respectfully requests that the Board admit Rachel M. Echols *pro hac vice* in this proceeding.

Respectfully submitted,

Date: July 31, 2018

By: /Joseph A. Hynds /

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Counsel for Patent Owner
Michael Scianamblo

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of July, 2018, a true and correct copy of the foregoing PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE* OF RACHEL M. ECHOLS was served, via electronic mail, upon the following counsel of record for Petitioner Edge Endo, LLC:

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