

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDGE ENDO, LLC,
Petitioner,

v.

MAILLEFER INSTRUMENTS HOLDINGS S.A.R.L.
Patent Owner.

Case IPR2018-01349
Patent 9,801,696 B2

Before BART A. GERSTENBLITH, ROBERT A. POLLOCK, and
RICHARD J. SMITH, *Administrative Patent Judges*.

GERSTENBLITH, *Administrative Patent Judge*.

DECISION

Granting Patent Owner's Motions for Admission *Pro Hac Vice* of
Steven Lieberman and Rachel M. Echols
37 C.F.R. § 42.10

I. DISCUSSION

Maillefer Instruments Holding S.a.r.l. (“Patent Owner”) filed motions for admission *pro hac vice* of Steven Lieberman (Paper 6) and Rachel M. Echols (Paper 8) (collectively, “Motions”). Patent Owner also filed declarations of Steven Lieberman (Paper 7) and Rachel M. Echols (Paper 9) in support of the motions.¹ Petitioner Edge Endo, LLC has not opposed the Motions.

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 and to any other conditions as the Board may impose.” 37 C.F.R. § 42.10(c). In authorizing motions for *pro hac vice* admission, we require the moving party to provide a statement of facts showing that there is good cause for us to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear. Paper 3, 2 (referencing IPR2013-00639, Paper 7).

Patent Owner’s Motions and the accompanying Declarations show sufficiently good cause for us to recognize Mr. Lieberman and Ms. Echols as counsel *pro hac vice*.

¹ Patent Owner filed the Declarations as Papers. Patent Owner is reminded that affidavits and declarations must be filed as exhibits. *See* 37 C.F.R. § 42.63(a) (“Evidence consists of affidavits, transcripts of depositions, documents, and things. All evidence must be filed in the form of an exhibit.”).

II. ORDER

It is:

ORDERED that Patent Owner's Motions for Admission *Pro Hac Vice* of Steven Lieberman (Paper 6) and Rachel M. Echols (Paper 8) are *granted*; Mr. Lieberman and Ms. Echols are authorized to represent Patent Owner only as back-up counsel in these proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for these proceedings;

FURTHER ORDERED that, within seven (7) business days of the date of this Order, Patent Owner shall submit Powers of Attorney for Mr. Lieberman and Ms. Echols in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that, within seven (7) business days of the date of this Order, Patent Owner shall file an updated mandatory notice identifying Mr. Lieberman and Ms. Echols as back-up counsel in accordance with 37 C.F.R. §§ 42.8(b)(3);

FURTHER ORDERED that Mr. Lieberman and Ms. Echols are to 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, as updated by the Office Patent Trial Practice Guide, August 2018 Update, 83 Federal Register 39,989 (Aug. 13, 2018); and

FURTHER ORDERED that Mr. Lieberman and Ms. Echols are 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. §§ 11.101–11.901.

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