

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MMODAL LLC,
Petitioner,

v.

NUANCE COMMUNICATIONS, INC.,
Patent Owner.

Case IPR2018-01431 (Patent 8,117,034 B2)
Case IPR2018-01435 (Patent 6,999,933 B2)¹

Before NEIL T. POWELL, and CHRISTA P. ZADO, *Administrative Patent Judges*.

POWELL, *Administrative Patent Judge*.

DECISION

Motions for *Pro Hac Vice* Admission of Alison H. Hutton
37 C.F.R. § 42.10(c)

¹ This Order applies to both cases. The parties are not authorized to use this style heading for any subsequent papers.

Case IPR2018-01431 (Patent 8,117,034 B2)

Case IPR2018-01435 (Patent 6,999,933 B2)

Petitioner MMODAL LLC filed a Motion for *Pro Hac Vice* Admission of Alison H. Hutton (“Motion”) and an accompanying Declaration in each of the above-captioned proceedings. IPR2018-01431, Paper 27; Ex. 1016; IPR2018-01435, Paper 27; Ex. 1015. Petitioner represents that the Motion is unopposed. *See, e.g.*, IPR2018-01431, Paper 27; IPR2018-01435, Paper 27.

The Board has reviewed the submissions and determined that the requirements of 37 C.F.R. § 42.10 have been met and there is good cause to admit Ms. Hutton *pro hac vice*.

It is, therefore,

ORDERED that Petitioner’s Motions for *Pro Hac Vice* Admission of Alison H. Hutton are *granted*;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner as lead counsel in the instant proceeding, but Ms. Hutton is authorized to be designated as backup counsel;

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

FURTHER ORDERED that, within ten (10) business days of the date of this order, Petitioner must submit Powers of Attorney for Ms. Hutton in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Ms. Hutton is to comply with the Office Patent Trial Practice Guide, as updated by the August 2018 Update, 83 Federal Register 39,989 (Aug. 13, 2018), and the Board’s Rules of Practice for Trials, as set forth in Title 37², Part 42 of the C.F.R., and is subject to the USPTO’s disciplinary

² The Declaration states “I have read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of

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jurisdiction under 37 C.F.R. § 11.19(a) and the USPTO Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.*

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the Code of Federal Regulations.” IPR2018-01431, Ex. 1016, 2; IPR2018-01435, Ex. 1015, 2. The Trial Practice Guide and the Board’s Rules of Practice are set forth in Part 42 of *Title 37*, Code of Federal Regulations. We deem this harmless error.