

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,  
Petitioner,

v.

SPEAKWARE, INC.,  
Patent Owner.

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Case IPR2019-00342  
Patent 6,397,186 B1

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Before DEBRA K. STEPHENS, DAVID C. MCKONE, and  
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION  
Motion for *Pro Hac Vice* Admission  
*37 C.F.R. § 42.10*

## I. INTRODUCTION

Patent Owner filed a motion for *pro hac vice* admission of Mr. Simon Franzini in this proceeding. Paper 6 (“Motion” or “Mot.”). Petitioner did not file an opposition to the Motion. For the following reasons, the Motion is *granted*.

## II. ANALYSIS

Counsel may be admitted *pro hac vice* upon a showing of good cause, subject to the condition that lead counsel is a registered practitioner. 37 C.F.R. § 42.10(c). Specifically, if lead counsel is a registered practitioner, back-up counsel may be permitted to appear *pro hac vice* “upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” *Id.* For the reasons set forth in the Motion and the accompanying affidavit of Mr. Franzini,<sup>1</sup> good cause exists to admit Mr. Franzini *pro hac vice* in this proceeding.

## III. ORDER

It is hereby

ORDERED that the Motion is *granted*, and Mr. Simon Franzini is authorized to represent Patent Owner as back-up counsel in the above-listed proceeding;

FURTHER ORDERED that a registered practitioner will continue to represent Patent Owner as lead counsel in the above-listed proceeding; and

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<sup>1</sup> Mr. Franzini’s affidavit does not comply with 37 C.F.R. § 1.68. Because Petitioner does not oppose the Motion and we discern no prejudice to Petitioner, we do not deny the Motion for that reason. However, all future affidavits or declarations submitted in this case and other matters before the Board must include a statement that complies with 37 C.F.R. § 1.68.

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FURTHER ORDERED that Mr. Franzini is to comply with the Board's Rules of Practice for Trials set forth in Part 42 of Title 37, Code of Federal Regulations, and the Office Patent Trial Practice Guide, and is subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

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PETITIONER:

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