

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONEX UNIVERSAL LIMITED,
Petitioner,

v.

RLS LLC,
Patent Owner.

Case IPR2019-00590 (Patent 9,145,992 B2)
Case IPR2019-00615 (Patent 9,638,361 B2)¹

Before MITCHELL G. WEATHERLY, RICHARD H. MARSCHALL, and
JOHN D. HAMANN, *Administrative Patent Judges*.

WEATHERLY, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Revised Motion
for Admission *Pro Hac Vice* of Marc C. Levy
37 C.F.R § 42.10

¹ We exercise our discretion to issue one order to be entered in above-referenced proceedings. The Parties are not authorized to use this caption without prior Board approval.

IPR2019-00590 (Patent 9,145,992 B2)

IPR2019-00615 (Patent 9,638,361 B2)

Petitioner previously moved for admission *pro hac vice* of Marc C. Levy in each of the above-referenced proceedings (collectively, “Original Motions”). Paper 6, 1–3.² We denied Petitioner’s Original Motions without prejudice because affidavits filed in support of the Original Motions (Paper 6, 4–6) (1) did not meet the requirements for affidavits or declarations under our Rules and (2) were not filed as exhibits (Paper 10). We also expressly authorized Petitioner to file revised motions seeking admission *pro hac vice* for Mr. Levy. Paper 10, 4.

Petitioner filed such revised motions in each of the above-referenced proceedings (collectively, “Revised Motions”). Paper 11. Petitioner concurrently filed Declarations of Mr. Levy in support of the Revised Motions as separate exhibits, curing the issues identified in our previous Order.³ Ex. 1026.⁴ Petitioner represents that Patent Owner does not oppose the Revised Motions. *See* Paper 11, 2. After considering Petitioner’s Revised Motions and supporting Declarations, it is:

ORDERED that Petitioner’s Revised Motion for Admission *Pro Hac Vice* of Marc C. Levy in each of the above-referenced proceedings is *granted*;

² For purposes of expediency, we refer to papers and exhibits filed in IPR2019-00590. Petitioner filed substantively identical papers and exhibits in IPR2019-00615.

³ Mr. Levy has declared that “[n]o application for my admission to practice before any court or administrative body has been denied.” Ex. 1026 ¶ 3. Because we grant this Revised Motion, we do not consider our previous denial of Mr. Levy’s application for admission *pro hac vice* to be inconsistent with Mr. Levy’s declaration.

⁴ Petitioner filed similar Exhibits in IPR2019-00615. Ex. 1029.

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FURTHER ORDERED that Mr. Levy is authorized to represent Petitioner as back-up counsel only in these proceedings;

FURTHER ORDERED that Petitioner shall continue to designate a registered practitioner as lead counsel in these proceedings;

FURTHER ORDERED that Mr. Levy shall comply with the Office Patent Trial Practice Guide, as updated by the Office Patent Trial Practice Guide August 2018 Update, 83 Federal Register 39,989 (Aug. 13, 2018), and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.; and

FURTHER ORDERED that Mr. Levy is 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.*

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PETITIONER:

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