

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

SPEAKWARE, INC.,
Patent Owner.

Case IPR2019-00792
Patent 6,397,186 B1

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 7 (“Motion” or “Mot.”).¹ 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, 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

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

¹ Patent Owner withdrew its previous motion for *pro hac vice* admission of Mr. Franzini. Mot. 2; Paper 6.

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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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