

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DELL INC., ZTE (USA) INC., and ZTE CORPORATION,
Petitioner,

v.

3G LICENSING S.A.,
Patent Owner.

IPR2020-01157 (Patent 7,274,933 B2)
IPR2020-01158 (Patent 7,460,868 B2)
IPR2020-01159 (Patent 7,596,375 B2)
IPR2020-01160 (Patent 8,275,374 B2)
IPR2020-01161 (Patent 8,472,955 B2)
IPR2020-01162 (Patent 8,948,756 B2)¹

Before TERRENCE W. McMILLIN, AMANDA F. WIEKER,
MONICA S. ULLAGADDI, and RUSSELL E. CASS,
*Administrative Patent Judges.*²

CASS, *Administrative Patent Judge.*

ORDER

Granting Patent Owner's Unopposed Motions for *Pro Hac Vice* Admission
of Stephanie Berger, Neil Benchell, and Andrew DeMarco
37 C.F.R. § 42.10

¹ This Order addresses issues that are the same in the above-captioned proceedings. The parties are not authorized to use a multi-case caption.

² This is not an expanded panel. Each of the four listed judges are part of three-judge panels assigned to the listed proceedings.

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3G Licensing S.A. (“Patent Owner”) filed motions for *pro hac vice* admission of Stephanie Berger, Neil Benchell, and Andrew DeMarco in the above-captioned proceedings (“Motions”). Papers 20–22.³ Patent Owner also filed supporting declarations from Ms. Berger (Ex. 2002), Mr. Benchell (Ex. 2003), and Mr. DeMarco (Ex. 2004).⁴ Patent Owner states that the Motions are unopposed. Motions at 1.

Having reviewed the Motions and Declarations, we conclude that Ms. Berger, Mr. Benchell, and Mr. DeMarco have sufficient qualifications to represent Patent Owner in the above-captioned proceedings, and that Patent Owner has shown good cause for *pro hac vice* admission of Ms. Berger, Mr. Benchell, and Mr. DeMarco. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (Order Authorizing Motion for Pro Hac Vice Admission) (setting forth the requirements for *pro hac vice* admission). Ms. Berger, Mr. Benchell, and Mr. DeMarco will be permitted to appear *pro hac vice* as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

It is, therefore,

³ All citations are to IPR2020-01157 with the understanding that the other proceedings include papers having substantially the same substantive content.

⁴ The Declarations state “set forth in part 42 of the C.F.R.,” (*see*, for example, Ex. 2002 ¶ 5), but the Board’s Rules of Practice for Trials are set forth in part 42 of 37 C.F.R. We deem this harmless error.

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ORDERED that the Motions for *Pro Hac Vice* Admission of Stephanie Berger are *granted* and Ms. Berger is authorized to represent Patent Owner only as back-up counsel in the above-captioned proceedings;

FURTHER ORDERED that the Motions for *Pro Hac Vice* Admission of Neil Benchell are *granted* and Mr. Benchell is authorized to represent Patent Owner only as back-up counsel in the above-captioned proceedings;

FURTHER ORDERED that the Motions for *Pro Hac Vice* Admission of Andrew DeMarco are *granted* and Mr. DeMarco is authorized to represent Patent Owner only as back-up counsel in the above-captioned proceedings;

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

FURTHER ORDERED that Ms. Berger, Mr. Benchell, and Mr. DeMarco shall comply with the Office Patent Trial Practice Guide, as updated by the Consolidated Office Patent Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019)) and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that that Ms. Berger, Mr. Benchell, and Mr. DeMarco are 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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