

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CODE200, UAB; TESOLT, UAB; METACLUSTER LT, UAB;
OXYSALES, UAB; and CORETECHLT, UAB,
Petitioners,

v.

BRIGHT DATALTD.,
Patent Owner.

IPR2021-01492 (Patent 10,257,319)
IPR2021-01493 (Patent 10,484,510)¹

Before THOMAS L. GIANNETTI, SHEILA F. McSHANE, and
RUSSELL E. CASS, *Administrative Patent Judges*.

PER CURIAM.

ORDER
Conditionally Granting Patent Owner's Motions for
Admission *Pro Hac Vice* of Robert M. Harkins
37 C.F.R. § 42.10

¹ The parties are not authorized to use this caption.

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On December 30, 2022, Patent Owner filed motions for *Pro Hac Vice* Admission of Robert M. Harkins in each of the above-identified proceedings. Paper 30 (collectively “Motions”).² Each Motion in each case is supported by a corresponding Declaration of Mr. Harkins. Ex. 2020 (collectively “Declarations”). Patent Owner indicates, in each Motion, that “Patent Owner conferred with Petitioners prior to filing this Motion and Petitioners do not oppose this Motion.” Paper 30, 5.

Upon review of the record before us, we determine that all requirements for admission *pro hac vice* have been met and there is good cause to admit Mr. Harkins *pro hac vice*.

We note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Mr. Harkins. In view thereof, the Motions for admission of Mr. Harkins are *conditionally granted*, and will be effective after Patent Owner files the aforementioned Power of Attorney for Mr. Harkins in each proceeding.

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner’s Motions for *pro hac vice* admission of Robert M. Harkins are *conditionally granted*, provided that within ten (10) business days of the date of this order, Patent Owner must submit a Power of Attorney for Mr. Harkins in accordance with 37 C.F.R. § 42.10(b) in each of these proceedings;

² For expediency, we refer to Paper and Exhibit numbers filed in IPR2021-01492. Similar Papers and Exhibits were filed in IPR2021-01493.

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FURTHER ORDERED that Patent Owner must file updated mandatory notices identifying Mr. Harkins as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3) in each of these proceedings;

FURTHER ORDERED that Mr. Harkins will be authorized to act only as back-up counsel in the above-identified proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel;

FURTHER ORDERED that Mr. Harkins shall comply with the Consolidated Trial Practice Guide³ (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 Mr. Harkins shall be 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.*

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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