

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUPERCELL OY,
Petitioner,

v.

GREE, INC.,
Patent Owner.

Case PGR2018-00036 (Patent 9,662,580 B2)
Case PGR2018-00039 (Patent 9,669,308 B2)
Case PGR2018-00050 (Patent 9,675,886 B2)
Case PGR2018-00055 (Patent 9,687,744 B2)
Case PGR2018-00060 (Patent 9,694,287 B2)
Case PGR2018-00061 (Patent 9,700,793 B2)¹

LYNNE H. BROWNE, *Administrative Patent Judge.*

ORDER

Granting Petitioner's Motions for *Pro Hac Vice*
Admission of Michael J. Sacksteder
37 C.F.R. § 42.10

¹ We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading in subsequent papers.

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On January 14, 2019, Petitioner filed a Motion for *Pro Hac Vice* Admission of Michael J. Sacksteder in each of the above-identified proceedings (Paper 10² (“Motions”)), respectively accompanied by Declarations of Mr. Sacksteder in support of the Motions. Ex. 1006³ (“Declarations”). Patent Owner did not oppose the Motions within the requisite time period. For the reasons provided below, Petitioner’s Motions are *granted*.

In accordance with 37 C.F.R. § 42.10(c), we may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear in the proceeding. *See* Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (“Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

² For purposes of expediency, we refer to papers and exhibits filed in PGR2018-00036. Petitioner filed similar Motions in PGR2018-00039 (Paper 17), PGR2018-00050 (Paper 13), PGR2018-00055 (Paper 16), PGR2018-00060 (Paper 14), and PGR2018-00061 (Paper 9).

³ Petitioner filed similar Declarations in PGR2018-00039 (Ex. 1008), PGR2018-00050 (Ex. 1005), PGR2018-00055 (Ex. 1009), PGR2018-00060 (Ex. 1007), and PGR2018-00061 (Ex. 1007).

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Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Sacksteder has sufficient legal and technical qualifications to represent Petitioner in the above-identified proceedings, and that Mr. Sacksteder has demonstrated sufficient familiarity with the subject matter of the above-identified proceedings. *See* Motions; Declarations. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Sacksteder in the above-identified proceedings. Mr. Sacksteder will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

Accordingly, it is hereby:

ORDERED that Petitioner's Motions for *pro hac vice* admission of Mr. Sacksteder are *granted*;

FURTHER ORDERED that Petitioner must continue to have a registered practitioner serve as lead counsel in the above-identified proceedings, but that Mr. Sacksteder is authorized to act as back-up counsel;

FURTHER ORDERED that Mr. Sacksteder is to 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 Title 37 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. Sacksteder is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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PGR2018-00039, -00050, -00060

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PGR2018-00055

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