

Filed on behalf of Patent Owner by:

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Filed January 10, 2022

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Counsel for Patent Owner

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUPITER RESEARCH, LLC,
Petitioner,

v.

VPR BRANDS, LP,
Patent Owner.

Case IPR2022-00299
Patent 8,205,622

SRIPLAW
125 MAIDEN LANE, SUITE 5C
NEW YORK, NY 10038

PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION (37 C.F.R. § 42.10)

Patent Owner, by and through its undersigned counsel, hereby moves for the admission *pro hac vice* of JOEL B. ROTHMAN of SRIPLAW, for purposes of appearance as co-counsel in the matter pursuant to 37 C.F.R. § 42.10.

In support of this Motion, a Declaration of Joel B. Rothman is attached as Patent Owner's VPR Exhibit 2000.

Facts:

Mr. Rothman is an experienced trial attorney, having handled numerous patent infringement matters. He represented VPR Brands, LP in other matters regarding U.S. Patent No. 8,205,622 ("622") and has an established familiarity with the subject matter at issue in this proceeding. His experience will greatly assist in explaining the technology that is the subject of these proceedings. Mr. Rothman's qualifications and experience will tend to reduce attorney time and costs to the client, simplify the explanations to the Board, and reduce the time of expert depositions. Furthermore, if necessary, Mr. Rothman's admission will be of great assistance in being able to simplify the presentation and respond to questions at Oral Arguments.

Argument:

Patent Owner demonstrates compliance with the legal requirements for *pro hac vice* admission under 37 C.F.R. §42.10(c) and the Board's decision on *pro hac vice* admission in IPR2013-00639 as follows:

The Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

37 C.F.R. § 42.10(c)

1. *Time for Filing*

This motion is filed no sooner than 21 days after service of the petition and is thus timely. This motion is unopposed.

2. *Content of Motion*

a. The present motion contains a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during these proceedings;

b. This Motion is accompanied by a declaration of the individual seeking to appear attesting to the following:

- i.** Membership in good standing of the Bar of at least one State or the District of Columbia;
- ii.** No suspensions or disbarments from practice before any court or administrative body;
- iii.** No application for admission to practice before any court or administrative body ever denied;
- iv.** No sanctions or contempt citations imposed by any court or administrative body;
- v.** The individual seeking to appear has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.;
- vi.** The individual will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);
- vii.** All other proceedings before the Office for which the individual has applied to appear pro hac vice in the last three (3) years; and
- viii.** Familiarity with the subject matter at issue in the proceeding.

Conclusion:

Patent Owner submits that (a) the relevant facts supporting “good cause” has been set forth above (page 2) and that the Declaration of Mr. Rothman complies with each of parts (i) through (viii) as set forth in IPR2013-00639.

Accordingly Patent Owner submits that the requirements for *pro hac vice* admission of Mr. Rothman in this proceeding have been met and that this unopposed motion should be granted.

Dated: January 10, 2022

Respectfully submitted,

/s/ Joseph A. Dunne

Joseph A. Dunne

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CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2022, a true and correct copy of the foregoing document was served in its entirety by electronic mail to the Petitioner's Attorney of Record as indicated below:

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