

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.,

Petitioners

v.

FOUR BATONS WIRELESS, LLC,

Patent Owner

Case IPR2025-00495
Patent 8,239,671

**PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE
PROVISIONALLY RECOGNIZED PTAB ATTORNEY
ERIC J. ENGER AS BACKUP COUNSEL
PURSUANT TO 37 C.F.R. § 42.10(c)**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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EXHIBIT LIST

Exhibit	Description
EX2001	Declaration of Eric J. Enger in Support of Patent Owner's Notice of Intent to Designate Provisionally Recognized Attorney Eric J. Enger as Back-Up Counsel Under 37 C.F.R. § 42.10(c)

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.10(c)(2), Four Batons Wireless, LLC, (“Patent Owner”) gives this notice of their intent to designate provisionally recognized attorney Eric J. Enger (“Mr. Enger”) as backup counsel. The facts set forth below and the accompanying Declaration of Mr. Enger, Ex. 2001 (“Enger Decl.”), support his *pro hac vice* admission.

II. STATEMENT OF FACTS SHOWING THERE IS GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL *PRO HAC VICE* DURING THE PROCEEDING

A. Identity of the Registered Practitioner Who Will Serve as Lead Counsel

Michael F. Heim is a registered practitioner (Reg. No. 32,702) who is currently serving, and will continue to serve, as lead counsel for Patent Owner. *See* Paper 6, at 2.

B. The Most Recent Prior Proceeding in Which the Person Seeking to Appear Was Recognized *Pro Hac Vice* by Order of the Patent Trial and Appeal Board Pursuant to a Motion of the Type Described in 37 C.F.R. §42.10(C)(1)

The most recent prior proceeding in which Mr. Enger sought to appear and was recognized *pro hac vice* by order of the PTAB pursuant to a motion was *Charter Communications Inc. v. Iarnach Technologies, Ltd.*, IPR2024-01287 (PTAB April 4, 2025). *See* Paper 16, ORDER Granting Patent Owner’s Motion for *Pro Hac Vice* Admission of Eric J. Enger and William B. Collier, Jr. 37 C.F.R. § 42.10. Enger Decl. ¶2.

C. Requirements Enumerated in “Order Authorizing Motion for *Pro Hac Vice* Admission” in *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (Representative)

Mr. Enger is a member in good standing of the State Bar of Texas, and admitted to practice law before United States Court of Appeals for the Federal Circuit, United States District Court for Connecticut, United States District Court for the Southern District of Texas, the United States District Court for the Western District of Texas, the United States District Court for the Northern District of Texas, and the United States District Court for the Eastern District of Texas. Enger Decl. ¶3.

Mr. Enger has not been suspended or disbarred from practice before any court or administrative body. *Id.* ¶4.

No court or administrative body has ever denied Mr. Enger’s application for admission to practice. *Id.* ¶4.

No court or administrative body has ever sanctioned or imposed contempt citations on Mr. Enger. *Id.* ¶4.

Mr. Enger has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in 37 CFR part 42. *Id.* ¶5.

Mr. Enger agrees that he is subject to the USPTO Rules of Professional Conduct set forth in 37 CFR § 11.101 *et seq.* and disciplinary jurisdiction under 37 CFR § 11.19(a). *Id.* ¶6.

The proceedings before the Office for which Mr. Enger has applied to appear *pro hac vice* where the Board granted the motion in the last three years are:

- *Charter Communications Inc. v. Iarnach Technologies, Ltd.*, IPR2024-01287, PHV Motion filed August 30, 2024 (Paper 6), granted April 4, 2025 (Paper 16).
- *Charter Communications, Inc. v. Iarnach Technologies Ltd.*, IPR2024-01286, PHV Motion filed August 30, 2024 (Paper 7), granted October 9, 2024 (Paper 9).
- *AT&T Mobility LLC et al., v. Daingean Technologies Ltd.*, IPR2024-00730, PHV Motion filed April 12, 2024 (Paper 5), granted June 5, 2024 (Paper 7).
- *Zyxel Communications Corporation et al., v. Atlas Global Technologies LLC*, IPR2023-00863, PHV Motion filed May 18, 2023 (Paper 7), granted July 5, 2023 (Paper 9).
- *Zyxel Communications Corporation et al., v. Atlas Global Technologies LLC*, IPR2023-00877, PHV Motion filed May 18, 2023 (Paper 7), granted July 5, 2023 (Paper 8).

- *Sercomm Corp. v. Atlas Global Technologies, LLC*, IPR2022-01519, PHV Motion filed December 16, 2022 (Paper 11), granted January 19, 2023 (Paper 17).
- *Sercomm Corp. v. Atlas Global Technologies, LLC*, IPR2022-01520, PHV Motion filed December 16, 2022 (Paper 11), granted January 19, 2023 (Paper 18).

Id. ¶7.

Mr. Enger has legal familiarity with the subject matter at issue in the proceeding. *Id.* ¶¶2, 8–9.

III. CONCLUSION

Upon being deemed admitted *pro hac vice* under 37 C.F.R. § 42.10(c)(2)(iii), Patent Owner will file updated mandatory notices identifying Mr. Enger as back-up counsel of record. And Mr. Enger will keep the Board informed of sanctions, changes to good standing at a bar, or any other event that renders materially inaccurate or incomplete any representation that he made to the Board in connection with this request for *pro hac vice* notice. Enger Decl. ¶11.

Dated: May 9, 2025

/Michael F. Heim/
Michael F. Heim
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PATENT 8,239,671

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CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing PATENT OWNER’S NOTICE OF INTENT TO DESIGNATE PROVISIONALLY RECOGNIZED PTAB ATTORNEY ERIC J. ENGER AS BACKUP COUNSEL PURSUANT TO 37 C.F.R. § 42.10(c) was served to the following counsel of record for Petitioners as follows:

Lead Counsel for Petitioners	Back-up Counsel for Petitioners
Ali R. Sharifahmadian (Reg. No. 48,202) ali.sharifahmadian@arnoldporter.com Arnold & Porter Kaye Scholer LLP 601 Massachusetts Ave., NW Washington, DC 20001-3743 Tel: 202-942-5000 Fax: 202-942-5999	Jeffrey Miller (Reg. No. 35,287) jeffrey.miller@arnoldporter.com David Caine (Reg. No. 52,683) david.caine@arnoldporter.com Arnold & Porter Kaye Scholer LLP 3000 El Camino Real Five Palo Alto Square, Suite 500 Palo Alto, CA 94306-3807 Tel: 650-319-4500 Fax: 650-319-4700
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Dated: May 9, 2025

By: /Michael F. Heim /
Michael F. Heim (Reg. No. 32,702)
Attorney for Patent Owner
Four Batons Wireless, LLC