

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHENZHEN RONGLIDA TECHNOLOGY CO. LTD.,
Petitioner,

v.

PATHWAY IP LLC,
Patent Owner.

IPR2025-01231
Patent 7,841,729 B2

Before BART A. GERSTENBLITH, KEVIN W. CHERRY, and
MARY C. HOFFMAN, *Administrative Patent Judges*.

HOFFMAN, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motion for Withdrawal and Substitution of Counsel
37 C.F.R. § 42.10

I. INTRODUCTION

On January 13, 2026, with our prior authorization (Ex. 3001), Petitioner filed a Motion for Withdrawal and Substitution of Counsel in the above-identified proceeding. Paper 10 (“Motion”).

Pursuant to 37 C.F.R. § 42.10, Petitioner moves to withdraw lead counsel Hasan A. Almashat of Dinsmore & Shohl LLP (Reg. No. 79,166) and substitute Raymond Y. Chan of Glacier Law LLP (Reg. No. 37,484). Motion 1. Wei Wang of Glacier Law LLP (Reg. No. 74,480) will remain as back-up counsel. *Id.* Petitioner indicates that it will update its Mandatory Notices to reflect the change of counsel once the Board grants the Motion. *Id.* Petitioner has already filed a Power of Attorney for Mr. Chan. Paper 11. Patent Owner opposes the Motion. Paper 14 (“Opposition”).

The Motion states, “Petitioner has made a decision to fully transfer the handling of this matter to the Glacier firm (which is also representing Petitioner in the related District Court litigation). Petitioner has also revoked all former powers of attorney.” Motion 2. Petitioner argues that good cause exists to grant this motion because a party is generally entitled to its choice of counsel. *Id.* Petitioner avers that granting the Motion does not cause delay or prejudice. *Id.* (explaining that no schedule change is needed, and continuity of representation is maintained).

Patent Owner’s reason for opposing the Motion relates to the question of real party in interest (RPI), an issue previously raised in Patent Owner’s Preliminary Response. Opposition 1; Paper 7, 3–10. Patent Owner opposes Attorney Almashat’s withdrawal because he “made himself a witness by making certain representations to the PTAB that have no evidentiary support

in the record. For example, Attorney Almashat stated, “no other entity funded or controlled the IPR.” *Id.* (citing Paper 9 (“Prelim. Reply”)).

Patent Owner refers to a statement in Petitioner’s Preliminary Reply, which states “Petitioner . . . affirms no other entity funded or controlled the IPR.” Prelim. Reply 1. First, it is not clear that by such statement Attorney Almashat has become a witness in this proceeding. Second, even assuming that he is, Patent Owner provides no legal authority to support its position that we should deny withdrawal of an attorney who also is potentially a fact witness in the same case. *See generally* Opposition.

Patent Owner also argues that Attorney Almashat “should be required to expressly consent to the USPTO’s jurisdiction through the pendency of this case” before being allowed to withdraw. Opposition 2. Attorney Almashat is registered with the USPTO and therefore 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.* Accordingly, we deem it unnecessary to require Attorney Almashat to make an additional representation consenting to our jurisdiction.

Patent Owner further argues that the Board should now require Attorney Almashat

to provide a written certification stating: (i) whether any costs of this IPR, including attorney fees, were paid, reimbursed, or agreed to be reimbursed, at any time, by any non-party; and (ii) whether any agreement or understanding, whether written or oral, grants any non-party the right to review before filing, approve, direct, or veto the filing of the Petition, the selection of grounds or arguments, or any settlement or disclaimer decision in this IPR.

Id. at 2–3.

Requesting discovery in an opposition to a motion for withdrawal and substitution of counsel is not proper under Board procedures. As we stated in the Institution Decision, the proper avenue for Patent Owner to pursue its RPI argument is by moving for additional discovery under 37 C.F.R. § 42.51(b)(2). Paper 12 (“Institution Decision”), 10–11; *see also* Consolidated Trial Practice Guide, Section I.F.2.¹

Having considered Petitioner’s Motion and Patent Owner’s Opposition, we determine good cause exists to grant Petitioner’s Motion for the reasons given by Petitioner. We *grant* Petitioner’s Motion.

II. ORDER

It is

ORDERED that Petitioner’s Motion for Withdrawal and Substitution of Counsel in the above-identified proceeding is *granted*;

FURTHER ORDERED that Hasan A. Almashat shall be withdrawn from the above-identified proceeding;

FURTHER ORDERED that Raymond Y. Chan shall be substituted as lead counsel;

FURTHER ORDERED that Wei Wang shall remain as back-up counsel; and

FURTHER ORDERED that Petitioner shall file updated Mandatory Notices within 21 days of this Order.

¹<https://www.uspto.gov/patents/ptab/trial-practice-guide>.

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