

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**AVAYA INC.**  
Petitioner

v.

**NETWORK-1 SECURITY SOLUTIONS, INC.**  
Patent Owner

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Case IPR2013-00071  
Patent 6,218,930

Before JAMESON LEE, JONI Y. CHANG, and JUSTIN T. ARBES,  
*Administrative Patent Judges.*

ARBES, *Administrative Patent Judge.*

ORDER

On February 11, 2013, a conference call was held between respective counsel for the parties and Judges Lee, Chang, and Arbes. The subject matter of discussion was Patent Owner Network-1 Security Solutions, Inc.'s ("Network-1") request for authorization to file a reply to Petitioner Avaya Inc.'s ("Avaya") opposition to Network-1's motion for *pro hac vice* admission of Mr. Greg Dovel. *See* Papers 11, 12. Counsel for Network-1

argued that Network-1 should be given the opportunity to (1) submit evidence and argument regarding the language of the protective orders (Exs. 1017, 1020) in *Network-1 Security Solutions, Inc. v. Alcatel-Lucent USA Inc., et al.*, E.D. Tex. Case No. 6:11-cv-00492-LED-JDL, and *Network-1 Security Solutions, Inc. v. Cisco Systems, Inc., et al.*, E.D. Tex. Case No. 6:08-cv-00030-LED, and Mr. Dovel's alleged compliance with the same, and (2) submit further evidence and argument regarding Mr. Dovel's alleged familiarity with the prior art references and other issues in this proceeding. Counsel for Avaya opposed Network-1's request for a reply, arguing that Network-1 knew about the protective orders prior to filing its motion and should have argued its position in the motion.

Replies in connection with motions for *pro hac vice* admission are not permitted absent authorization from the Board. Paper 5 at 2 (referencing the "Order – Authorizing Motion for *Pro Hac Vice* Admission" in Case IPR2013-00010, at 3). Having heard from both parties, we do not find the additional evidence that Network-1 seeks to submit in a reply necessary at this time to decide the motion. Nor do we believe additional argument from the parties is necessary. The motion will be decided in due course.

In consideration of the foregoing, it is hereby:

**ORDERED** that Network-1 is not authorized to file a reply to Avaya's opposition to Network-1's motion for *pro hac vice* admission of Mr. Greg Dovel.

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