

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., CIENA CORPORATION,
CORIANT OPERATIONS, INC., CORIANT (USA) INC., AND
FUJITSU NETWORK COMMUNICATIONS, INC.,
Petitioner,

v.

CAPELLA PHOTONICS, INC.,
Patent Owner.

Cases IPR2014-01166¹ and IPR2014-01276²
Patents RE42,368 and RE42,678³

Before JOSIAH C. COCKS, KALYAN K. DESHPANDE, and
JAMES A. TARTAL, *Administrative Patent Judges*.

TARTAL, *Administrative Patent Judge*.

ORDER

Motion for *Pro Hac Vice* Admission
37 C.F.R. § 42.10

¹ Case IPR2015-00816 has been joined with IPR2014-01166.

² Case IPR2015-00894 has been joined with IPR2014-01276.

³ This order addresses issues that are the same in the identified cases. The parties are authorized to use this heading when filing a single paper in each proceeding, provided that such heading includes a footnote attesting that “the word-for-word identical paper is filed in each proceeding identified in the heading.”

IPR2014-01166 and IPR2014-01276
Patent RE42,368 and RE42,678

As authorized by the Notice of Filing Date Accorded to the Petition in IPR2014-01166 (Paper 3) and in IPR2014-01276 (Paper 4), Cisco Systems, Inc. , (“Cisco”) filed Motions for *pro hac vice* admission of Sarah J. Guske in IPR2014-01166 (Paper 35) and IPR2014-01276 (Paper 31).⁴ Patent Owner did not file an opposition to the Motions. Cisco’s Motions are *granted*. See 37 C.F.R. § 42.10(c); see also *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Order Authorizing Motion for *Pro Hac Vice* Admission, Paper 7 (October 15, 2003) (setting forth requirements for *pro hac vice* admission).⁵

It is

ORDERED that Cisco’s Motion for *pro hac vice* admission is *granted*, and Ms. Guske is authorized to represent Cisco as back-up counsel in IPR2014-01166 and IPR2014-01276;

FURTHER ORDERED that Cisco is to continue to have a registered practitioner as lead counsel in this *inter partes* review proceeding; and

FURTHER ORDERED that Ms. Guske is to comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations, and that Ms. Guske is subject to the Office’s disciplinary jurisdiction under 37 C.F.R.

⁴ Cisco’s Motions were accompanied by attachments identified as Exhibit A, “Ms. Guske’s Biography,” and an affidavit of Ms. Guske in support of the Motions. Cisco is cautioned that combined documents are not permitted. 37 C.F.R. § 42.6(a)(3). All evidence, including affidavits, must be separately filed in the form of an exhibit and properly labelled. 37 C.F.R. §42.63. For purposes of this Decision we will not require refiling of the attachments as exhibits, however, all future filings must comply with these requirements.

⁵ Available at <http://www.uspto.gov/patents-application-process/appealing-patent-decisions/decisions-and-opinions/representative-orders>.

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§ 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37
C.F.R. §§ 11.101 *et seq.*

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