

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ORACLE CORPORATION, NETAPP INC., and
HUAWEI TECHNOLOGIES CO., LTD.,

Petitioners,

v.

CROSSROADS SYSTEMS, INC.,

Patent Owner.

Case IPR2014-01209

Patent 7,051,147

**PETITIONERS' MOTION FOR ADMISSION
PRO HAC VICE OF AARON Y. HUANG
PURSUANT TO 37 C.F.R. §42.10**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.10, Petitioners ORACLE CORPORATION, NETAPP INC., and HUAWEI TECHNOLOGIES CO., LTD., request that the Board admit Aaron Y. Huang *pro hac vice* in this proceeding.

II. STATEMENT OF FACTS

Pursuant to 37 C.F.R. §42.10(c), 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). The facts, supported by the Declaration of Aaron Y. Huang in Support of Motion for Admission *Pro Hac Vice* (“Huang Decl.”, Exhibit 1234), establish good cause to admit Mr. Huang *pro hac vice* in this proceeding.

1. Lead counsel Greg Gardella is a registered practitioner and is experienced in *inter partes* proceedings in the USPTO.
2. Backup counsel Scott A. McKeown is a registered practitioner and is experienced in *inter partes* proceedings in the USPTO.
3. Aaron Y. Huang is an experienced litigation attorney. Mr.

Huang has been a litigating attorney for more than 6 years. Huang Decl. ¶ 1. Mr. Huang has been litigating patent cases for approximately all of those years. *Id.* ¶ 1. Mr. Huang is a member in good standing of the California State Bar, with no suspensions or disbarments from practice, nor any application for admission to practice denied, nor any sanctions or contempt citations, and is admitted to practice in the United States Court of Appeals for the Federal Circuit, the United States District Court for the Eastern District of Texas; and the United States District Court for the Northern District of California. *Id.* ¶¶ 1-4.

4. Mr. Huang has familiarity with the subject matter at issue in this proceeding based on his work as counsel in the pending district court case *Crossroads Systems, Inc. v. Oracle Corp.*, W.D. Tex. Case No. 13-895-SS, in which U.S. Patent No. 7,051,147 is and was asserted by the Patent Owner. *Id.* ¶ 9. Mr. Huang has been actively involved in all aspects of the pending district court case, including the issue of validity of the patents-in-suit. *Id.* ¶ 9.

5. Mr. Huang has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of the C.F.R., and he agrees to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§10.20 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. §11.19(a). *Id.* ¶¶ 5-6.

6. Patent Owner Crossroads Systems, Inc. has indicated that this Motion is not opposed.

III. ANALYSIS

The facts contained in the Statement of Facts above, and contained in the Huang Declaration, establish that there is good cause to admit Mr. Huang *pro hac vice* in this proceeding under 37 C.F.R. §42.10. Lead and backup counsel are registered practitioners, Mr. Huang is an experienced litigation attorney, and Mr. Huang has an established familiarity with the subject matter at issue in the proceeding.

IV. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the Board admit Aaron Y. Huang *pro hac vice* in this proceeding.

Respectfully submitted,
Oblon, McClelland, Maier &
Neustadt, LLP

Dated: September 8, 2015

/Greg H. Gardella/
Greg H. Gardella (Reg. No. 46,045)
Lead Counsel for Petitioners

Scott A. McKeown (Reg. No. 42,866)
Back-up Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that PETITIONERS' MOTION FOR ADMISSION *PRO HAC VICE* OF AARON Y. HUANG PURSUANT TO 37 C.F.R. §42.10, Exhibit 1233 and Exhibit 1234 were served on September 8, 2015, on the counsel of record for the Patent Owner by filing this document through the Patent Review Processing System as well as delivering a copy via electronic mail to the following addresses:

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Respectfully submitted,

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