

Case IPR2016-01259  
U.S. Patent No. 8,155,298 B2

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BRIGHT HOUSE NETWORKS, LLC,  
WIDEPENWEST FINANCE, LLC,  
KNOLOGY OF FLORIDA, INC.,  
BIRCH COMMUNICATIONS, INC.,  
Petitioners

v.

FOCAL IP, LLC,  
Patent Owner

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Case IPR2016-01259  
Patent No. 8,155,298 B2

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Before JAMILAH SULTAN , *Trial Paralegal*.

**MOTION FOR SARAH J. GUSKE TO APPEAR *PRO HAC VICE* ON  
BEHALF OF PETITIONERS**

Petitioner Cisco Systems, Inc. (“Cisco”) respectfully requests that the Board recognize Ms. Guske as counsel *pro hac vice* during this proceeding.

## I. BACKGROUND

Cisco’s Motion for *Pro Hac Vice* Admission is being filed in compliance with and pursuant to the “Order – Authorization Motion for *Pro Hac Vice* Admission” in Case No. IPR2013-00639 [“the Order”].

## II. STATEMENT OF FACTS

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Ms. Guske *pro hac vice*.

Ms. Guske is an experienced litigation attorney and has been involved in numerous complex litigations in state and federal courts. Ms. Guske’s biography is attached hereto as **Exhibit A**.

Ms. Guske has reviewed U.S. Patent No. 8,155,298 B2 and the petition, already filed in this proceeding. Further, Ms. Guske is counsel of record in the related co-pending litigation between the parties, *Patent Asset Licensing, LLC v. Bright House Networks, LLC*, No. 3:15-cv-00742-TJC (M.D. Fla.), as such, is familiar with the subject matter at issue in this proceeding.

Focal IP, LLC (“Focal IP”) was consulted through its counsel in correspondence dated October 3, 2016. Focal IP stated that they would not oppose this motion.

Therefore, Cisco respectfully submits that there is good cause for the Board to recognize Ms. Guske as counsel pro hac vice during this proceeding.

### **III. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR**

Cisco’s Motion for Pro Hac Vice Admission is accompanied by an Affidavit of Ms. Sarah Guske as required by the Order.

October 26, 2016

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Respectfully submitted,  
BAKER BOTTS L.L.P.

/Wayne O. Stacy/  
Wayne Stacy  
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Lead Counsel

AFFIDAVIT OF MS. SARAH GUSKE IN SUPPORT OF  
MOTION FOR *PRO HAC VICE* ADMISSION

I, Sarah J. Guske, do hereby declare:

1. I am a partner in the law firm Baker Botts L.L.P. Lead counsel in this *inter partes* review proceeding is Wayne O. Stacy, who is a partner in the law firm Baker Botts L.L.P. Mr. Stacy is registered to practice before the United States Patent and Trademark Office and holds Registration No. 45,125. With respect to this proceeding, I will work closely with Mr. Stacy.

2. I hold a bachelor's degree in electrical engineering from Washington State University and a bachelor's degree in physics from Whitworth University. I hold a juris doctor degree from the University of California—Davis School of Law.

3. I have over 10 years of experience as a litigating attorney representing clients in matters in various United States District Courts and Courts of Appeals, and before the International Trade Commission. My experience includes several litigation matters in telecommunication systems and components. I am, therefore, an experienced litigating attorney. Petitioner desires, and has a need, to be represented in certain aspects of these proceedings by an experienced litigating attorney.

4. I am familiar with U.S. Patent No. 8,155,298 B2 and with the legal subject matter, technical subject matter, and prior art discussed in Petitioner's Request for Inter Partes Review of U.S. Patent No. 8,155,298 B2, which forms the basis for this proceeding.

5. I am a member in good standing of the Supreme Court for the State of Colorado and the Supreme Court for the State of California. I am also admitted to practice before the United States District Court for the Northern District of California, the United States District Court for the Eastern District of Texas, United States District Court for the Central District of California, the United States District Court for Colorado, and the United States Court of Appeals for the Federal Circuit.

6. I have never been suspended or disbarred from practice before any court or administrative body.

7. I have never had a court or administrative body deny my application for admission to practice.

8. I have never been sanctioned or cited for contempt by any court or administrative body.

9. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R.

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