

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,  
Petitioner,

v.

FOCAL IP, LLC,  
Patent Owner.

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Cases: IPR2016-01254<sup>1</sup>  
Patent 8,457,113 B2

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Before SALLY C. MEDLEY, JONI Y. CHANG, and  
BARBARA A. PARVIS, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

DECISION

Granting Patent Owner's Motions for Admission *Pro Hac Vice* of  
John P. Murphy  
*37 C.F.R. § 42.10*

Patent Owner moves for *pro hac vice* admission of Mr. John P. Murphy. *See, e.g.*, IPR2016-01254, Paper 13. Patent Owner indicates it has conferred with Petitioner and Petitioner does not oppose Patent Owner's

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<sup>1</sup> This Order addresses the same issues in the *inter partes* reviews listed in the Appendix. Therefore, we issue one Order to be filed in all of the cases. The parties, however, are not authorized to use this style of filing in subsequent papers.

Motions. *Id.* Patent Owner provides Declarations from Mr. Murphy in support of its Motions. *See, e.g.,* Ex. 2007.

Based on the facts set forth in the Motions and the accompanying Declarations from Mr. Murphy, we conclude that Mr. Murphy has sufficient legal and technical qualifications to represent Patent Owner in these cases, that Mr. Murphy has demonstrated the necessary familiarity with the subject matter of these cases, and that there is a need for Patent Owner to have counsel with experience as a litigation attorney in patent matters involved in these cases. Accordingly, Patent Owner has established good cause for Mr. Murphy's *pro hac vice* admission. Mr. Murphy will be permitted to appear *pro hac vice* in these cases as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Mr. John P. Murphy are *granted*, and Mr. Murphy is authorized to represent Patent Owner as back-up counsel in these cases;

FURTHER ORDERED that Patent Owner continue to have a registered practitioner as lead counsel in these cases;

FURTHER ORDERED that Mr. Murphy 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

FURTHER ORDERED that Mr. Murphy is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

IPR2016-01254  
Patent 8,457,113 B2

PETITIONER:

Mark Passler  
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PATENT OWNER:

Brent Bumgardner  
John Murphy  
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IPR2016-01254  
Patent 8,457,113 B2

APPENDIX<sup>2</sup>

U.S. Patent No.	<i>Inter Partes</i> Review	Patent Owner's Motion <sup>3</sup>
7,764,777 B2	IPR2016-01258	Paper 8
	IPR2016-01262	Paper 12
8,155,298 B2	IPR2016-01256	Paper 8
	IPR2016-01259	Paper 15
	IPR2016-01263	Paper 16
8,457,113 B2	IPR2016-01254	Paper 13
	IPR2016-01257	Paper 13
	IPR2016-01260	Paper 8
	IPR2016-01261	Paper 12

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<sup>2</sup> Bright House Networks, LLC, WideOpenWest Finance, LLC, Knology of Florida, Inc., and Birch Communications are Petitioner in IPR2016-01259, -01261, -01262, and -01263.

YMax Corporation is Petitioner in IPR2016-01256, -01258, and -01260.

Cisco Systems, Inc. is Petitioner in IPR2016-01254 and -01257.

<sup>3</sup> The Declaration of Mr. Murphy is filed as Exhibit 2007 in each of the cases listed in this Appendix.