

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

Juniper Networks, Inc.,

Petitioners

v.

ChriMar Systems, Inc.,

Patent Owner

Case No. IPR2016-01399
U.S. Patent No. 8,902,760

**JUNIPER NETWORKS., INC.'S UNOPPOSED MOTION FOR
ADMISSION *PRO HAC VICE* OF JONATHAN KAGAN
UNDER 37 C.F.R. § 42.10**

Mail Stop: PATENT BOARD
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U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) and the Board's "Notice of Filing Date Accorded to the Petition and Time for Filing Patent Owner's Preliminary Response" entered July 12, 2016, Paper 4, granting authorization to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Petitioner Juniper Networks, Inc., requests that the Board admit Jonathan Kagan *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 Jonathan Kagan in Support of Motion for Admission *Pro Hac Vice* ("Kagan Decl.", Ex. 1019), establish good cause to admit Jonathan Kagan *pro hac vice* in this proceeding.

1. Lead counsel Nima Hefazi is a registered practitioner and is experienced in *inter partes* proceedings before the USPTO.

2. Backup counsel Michael R. Fleming is a registered practitioner and experienced in *inter partes* proceedings before the USPTO.

3. Jonathan Kagan is an experienced litigating attorney. Mr. Kagan has extensive experience in patent law and has been litigating patent cases for over twenty (20) years. Kagan Decl. ¶ 11. Mr. Kagan 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. Kagan Decl. ¶¶ 1-6. Mr. Kagan is also admitted to practice before the United States District Courts for the Central District, Eastern District and Northern District of California; Supreme Court of California; U.S. Court of Appeals, 5th Circuit; U.S. Court of Appeals, 9th Circuit; and U.S. Court of Appeals for the Federal Circuit. Kagan Decl. ¶ 2.

4. Mr. Kagan has familiarity with the subject matter at issue in this proceeding. Kagan Decl. ¶ 12.

5. Mr. Kagan has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in Title 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. §§ 11.101 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). Kagan Decl. ¶¶ 7-8.

6. Mr. Kagan has appeared (and was granted) *pro hac vice* before the United States Patent and Trademark Office on behalf of Juniper Networks, Inc. in IPR2014-00425 and IPR2014-00431. Mr. Kagan has also appeared *pro hac vice* in IPR2016-00806 and IPR2016-01243. Kagan Decl. ¶ 10

7. Mr. Kagan is seeking *pro hac vice* admission in co-pending matters IPR2016-01389, IPR2017-01391, and IPR2016-01397. Kagan Decl. ¶ 9.

III. ANALYSIS

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

IV. NO OPPOSITION TO THIS MOTION

Petitioner has confirmed with Patent Owner that they do not oppose the present motion.

V. CONCLUSION

For the foregoing reasons, Juniper Networks, Inc. respectfully requests that the Board admit Jonathan Kagan *pro hac vice* in this proceeding.

Dated: February 23, 2017

Respectfully submitted,

By: /s/ Nima Hefazi /
Nima Hefazi

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