

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUNIPER NETWORKS, INC., BROCADE COMMUNICATION SYSTEM,
INC., AND RUCKUS WIRELESS, INC.
Petitioners,

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
Patent Owner

Case IPR2017-00640
Patent 5,659,891

**JUNIPER NETWORKS, INC.’S MOTION FOR *PRO HAC VICE*
ADMISSION OF REBECCA L. CARSON UNDER 37 C.F.R. § 42.10(c)**

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I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) and with the Board's authorization (Paper 5, dated January 30, 2017), Petitioner Juniper Networks, Inc. ("Juniper"), by and through its attorneys, respectfully requests the *pro hac vice* admission of Rebecca L. Carson in this proceeding.

II. GOVERNING LAW, RULES AND PRECEDENT

Section 42.10(c) states:

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.

Further, motions for *pro hac vice* admission must comply with the "Order -- Authorizing Motion for *Pro Hac Vice* Admission" in Case IPR2013-00639, Paper 7 ("Representative Order"). The Representative Order explains that the motion must "[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding" and "[b]e

accompanied by an affidavit or declaration of the individual seeking to appear
attesting to the following:

- i. Membership in good standing of the Bar of at least one State or the District of Columbia;
- ii. No suspensions or disbarments from practice before any court or administrative body;
- iii. No application for admission to practice before any court or administrative body ever denied;
- iv. No sanctions or contempt citations imposed by any court or administrative body;
- v. The individual seeking to appear has 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 37 C.F.R.;
- vi. The individual will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);

- vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and
- viii. Familiarity with the subject matter at issue in the proceeding.”

III. STATEMENT OF FACTS SHOWING GOOD CAUSE

Based on the following statement of facts, and supported by the Declaration of Rebecca L. Carson (Exhibit 1018), Juniper submits that a showing of good cause has been made and respectfully requests the *pro hac vice* admission of Rebecca Carson in this proceeding:

1. Juniper’s lead counsel, Nima Hefazi, is a registered practitioner (Reg. No. 63,658).
2. Rebecca Carson is an experienced litigation attorney and has been litigating patent cases before various district courts for approximately nine and a half years. Ms. Carson has also appeared *pro hac vice* before the Patent Trial and Appeal Board in connection with IPR2014-00425 and IPR2014-00431.
3. Rebecca Carson has an established familiarity with the subject matter at issue in this proceeding. U.S. Patent No. 5,659,891 (“the ’891 patent”) is currently asserted by Patent Owner Mobile Telecommunication Technologies, Ltd.

against Juniper in a co-pending litigation (see Ex. 1004). Ms. Carson is currently counsel for Juniper in the co-pending litigation and is deeply involved with issues relating to the '891 patent. This gives Ms. Carson a substantial and established understanding of the underlying legal and technological issues at stake in this proceeding. Juniper has expended significant time and resources with Ms. Carson as counsel in the co-pending litigation, and wishes to continue using her as counsel in this proceeding.

IV. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This Motion for *pro hac vice* admission is accompanied by a Declaration of Rebecca Carson (Exhibit 1018), as the Representative Order requires. In this Declaration, Ms. Carson states her compliance with the general requirements for *pro hac vice* admission, including that: she is a member in good standing of the State Bar of California and is admitted to practice before the United States District Court in the Central and Northern Districts of California and the United States Court of Appeals for the Ninth and Federal Circuits; she has never been suspended or disbarred from practice before any court or administrative body; no application she has made for admission to practice before any court or administrative body has ever been denied; no sanctions or contempt citations have been imposed against her by any court or administrative body; she has read and agrees to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials

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