

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORP., and
CAVIUM, INC.,
Petitioner,

v.

ALACRITECH, INC.,
Patent Owner.

Case IPR2017-01406¹
Patent 7,673,072

**PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION OF KARINEH KHACHATOURIAN
UNDER 37 C.F.R. § 42.10(c)**

¹ Cavium, who filed a Petition in case IPR2017-01707, has been joined as a petitioner in this proceeding.

I. STATEMENT OF PRECISE RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c) authorizing the petitioner to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c), Cavium, Inc. requests that the Patent Trial and Appeal Board (the “Board”) admit Karineh Khachatourian *pro hac vice* in this proceeding, IPR2017-01406.

II. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE COUNSEL *PRO HAC VICE* DURING THE PROCEEDING

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* subject to the condition that lead counsel be a registered practitioner and to any other conditions that the Board may impose. Section 42.10(c) provides that “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.” *See also Unified Patents v. Parallel Iron*, IPR2013-00639, Paper 7 (Oct. 15, 2013). The following facts establish good cause for the Board to recognize Karineh Khachatourian *pro hac vice* in this proceeding:

1. I, Patrick D. McPherson, backup counsel in this proceeding, am a registered practitioner.

2. Ms. Khachatourian is an experienced patent litigator, and has established familiarity with the subject matter at issue in this proceeding from her participation in co-pending litigation involving the subject patent. Specifically, U.S. Patent No. 7,673,072 B2 is currently asserted against Petitioner in co-pending litigation, in the Eastern District of Texas, *Alacritech, Inc. v. Dell Inc.*, Case No. 2:16-cv-00695 (filed Jun. 30, 2016) (“the co-pending litigation”). Ms. Khachatourian is a member of the California Bar in good standing, has been representing the Petitioner as lead counsel in the co-pending litigation since its inception and has been actively involved in all aspects of the case. Other than Ms. Khachatourian’s co-pending application for *pro hac vice* admission in IPR Trial Nos. IPR2017-01391, IPR2017-01392, IPR2017-01393, IPR2017-01405, IPR2017-01409, and IPR2017-01410 and IPR Trial Nos. IPR2015-01595, IPR2015-01078, IPR2015-01080, IPR2017-01071 and IPR2017-01070, Ms. Khachatourian has not applied to appear *pro hac vice* in any other Board, or United States Patent and Trademark Office (“USPTO”) proceeding, over the last three years.

3. As part of her participation in co-pending litigation involving the subject patent, Ms. Khachatourian has analyzed prior art references related to the claimed inventions, all of which are relevant to the petition requesting *inter partes* review of U.S. Patent No. 7,673,072 B2. Petitioner wishes to apply Ms.

Khachatourian's knowledge concerning the patent by employing her as counsel in this proceeding. Admission of Ms. Khachatourian *pro hac vice* will enable Petitioner to avoid unnecessary expense and duplication of work between this proceeding and the co-pending litigation.

4. Petitioner's counsel, Patrick D. McPherson, is a registered practitioner and Ms. Khachatourian is an experienced patent litigation attorney having established familiarity with the subject matter at issue in this proceeding. Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Ms. Khachatourian as counsel *pro hac vice* during this proceeding.

5. This Motion for *Pro Hac Vice* Admission is supported by a Declaration of Ms. Khachatourian (Exhibit A).

6. Counsel for Patent Owner does not oppose Ms. Khachatourian appearing *pro hac vice* during this proceeding.

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Motion for *Pro Hac Vice* Admission of Karineh Khachatourian

III. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Board admit Karineh Khachatourian *pro hac vice* in this proceeding.

Respectfully submitted,

Cavium, Inc.,
Petitioner

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Dated: February 14, 2018

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