

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORP., CAVIUM, LLC,
WISTRON CORPORATION, and DELL INC.,¹
Petitioner,

v.

ALACRITECH, INC.,
Patent Owner.

Case IPR2017-01391 (Patent 7,237,036 B2)
Case IPR2017-01392 (Patent 7,337,241 B2)
Case IPR2017-01406 (Patent 7,673,072 B2)

¹ Cavium, Inc., which filed petitions in Cases IPR2017-01707, IPR2017-01718, and IPR2017-01728; Wistron Corporation, which filed petitions in Cases IPR2018-00327, IPR2018-00328, and IPR2018-00329; and Dell Inc., which filed petitions in Cases IPR2018-00371, IPR2018-00372, and IPR2018-00375, were joined as petitioners in IPR2017-01391, IPR2017-01392, and IPR2017-01406. According to updated mandatory notices filed in the captioned proceedings, Cavium, Inc. has now been converted to Cavium, LLC. *See, e.g.*, IPR2017-01391, Paper 76.

IPR2017-01391 (Patent 7,237,036 B2)
IPR2017-01392 (Patent 7,337,241 B2)
IPR2017-01393 (Patent 9,055,104 B2)
IPR2017-01405 (Patent 7,124,205 B2)
IPR2017-01406 (Patent 7,673,072 B2)
IPR2017-01409 (Patent 8,131,880 B2)
IPR2017-01410 (Patent 8,131,880 B2)
IPR2018-00226 (Patent 7,124,205 B2)
IPR2018-00234 (Patent 8,805,948 B2)
IPR2018-00401 (Patent 7,945,699 B2)

INTEL CORP., CAVIUM, LLC, and DELL INC.,²
Petitioner,

v.

ALACRITECH, INC.,
Patent Owner.

Case IPR2017-01393 (Patent 9,055,104 B2)
Case IPR2017-01405 (Patent 7,124,205 B2)
Case IPR2017-01409 (Patent 8,131,880 B2)
Case IPR2017-01410 (Patent 8,131,880 B2)

² Cavium, Inc., which filed petitions in Cases IPR2017-01714, IPR2017-01735, IPR2017-01736, and IPR2017-01737; and Dell, Inc., which filed petitions in Cases IPR2018-00336, IPR2018-00338, IPR2018-00339, and IPR2018-00374 were joined as petitioners in IPR2017-01393, IPR2017-01405, IPR2017-01409, and IPR2017-01410. According to updated mandatory notices filed in the captioned proceedings, Cavium, Inc. has now been converted to Cavium, LLC. *See, e.g.*, IPR2017-01393, Paper 65.

IPR2017-01391 (Patent 7,237,036 B2)
IPR2017-01392 (Patent 7,337,241 B2)
IPR2017-01393 (Patent 9,055,104 B2)
IPR2017-01405 (Patent 7,124,205 B2)
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IPR2018-00234 (Patent 8,805,948 B2)
IPR2018-00401 (Patent 7,945,699 B2)

INTEL CORPORATION and CAVIUM, LLC,³
Petitioner,

v.

ALACRITECH, INC.,
Patent Owner.

Case IPR2018-00226 (Patent 7,124,205 B2)
Case IPR2018-00234 (Patent 8,805,948 B2)

CAVIUM, LLC,
Petitioner,

v.

ALACRITECH, INC.,
Patent Owner.

Case IPR2018-00401 (Patent 7,945,699 B2)

³ Cavium, Inc., which filed petitions in Cases IPR2018-00400 and IPR2018-00403 was joined as a petitioner in IPR2018-00226 and IPR2018-00234. According to updated mandatory notices filed in the captioned proceedings, Cavium, Inc. has now been converted to Cavium, LLC. *See, e.g.*, IPR2018-00226, Paper 28.

IPR2017-01391 (Patent 7,237,036 B2)
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IPR2018-00226 (Patent 7,124,205 B2)
IPR2018-00234 (Patent 8,805,948 B2)
IPR2018-00401 (Patent 7,945,699 B2)

Before STEPHEN C. SIU, DANIEL N. FISHMAN, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

BOUDREAU, *Administrative Patent Judge*.

DECISION⁴

Cavium, LLC's Motion for Withdrawal and Substitution of Lead Counsel
37 C.F.R. § 42.5

Cavium, LLC (“Cavium”) filed a motion in each of the identified proceedings to withdraw Patrick D. McPherson as lead counsel and to substitute David Xue, currently designated as backup counsel, as Cavium’s lead counsel in each proceeding. IPR2017-01391, Paper 79; IPR2017-01392, Paper 79; IPR2017-01393, Paper 68; IPR2017-01405, Paper 82; IPR2017-01406, Paper 81; IPR2017-01409, Paper 77; IPR2017-01410, Paper 75; IPR2018-00226, Paper 34; IPR2018-00234, Paper 29; IPR2018-00401, Paper 19. Cavium represents that Patent Owner has indicated that it does not oppose the requested withdrawal and substitution, that Mr. Xue is a registered practitioner who meets the requirements of 37 C.F.R. § 42.10(c), that Cavium also will continue to be represented by Karineh Khachatourian

⁴ This decision addresses issues that are similar in all identified cases. We exercise our discretion to issue one decision to be filed in each case. The parties are not authorized to use this style heading in subsequent papers.

IPR2017-01391 (Patent 7,237,036 B2)
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IPR2017-01409 (Patent 8,131,880 B2)
IPR2017-01410 (Patent 8,131,880 B2)
IPR2018-00226 (Patent 7,124,205 B2)
IPR2018-00234 (Patent 8,805,948 B2)
IPR2018-00401 (Patent 7,945,699 B2)

as backup counsel, and that no extensions of time will be sought based on substitution of Cavium's lead counsel. *Id.* Based on the facts of these proceedings, we determine that it is appropriate to grant the request for the withdrawal of Mr. McPherson and substitution of Mr. Xue as lead counsel for Cavium in each of the identified proceedings.

It is, therefore,

ORDERED that Cavium's motion for the withdrawal of Patrick D. McPherson and substitution of David Xue as lead counsel for Cavium, LLC is granted in each of the identified proceedings.

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