

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HEWLETT PACKARD ENTERPRISE COMPANY,
Petitioner,

v.

CHRIMAR SYSTEMS, INC.,
Patent Owner.

Case No. IPR2019-00033
Patent No. 8,902,760

PETITIONER'S UNOPPOSED MOTION FOR ADMISSION
PRO HAC VICE OF KARON N. FOWLER
PURSUANT TO 37 C.F.R. § 42.10

Pursuant to 37 C.F.R. §42.10, Petitioner respectfully requests the *pro hac vice* admission of attorney Karon N. Fowler in this proceeding. The facts, supported by the attached Declaration of Karon N. Fowler in Support of Motion for Admission *Pro Hac Vice* (“Fowler Decl.”), establish good cause to admit Ms. Fowler *pro hac vice* in this proceeding. Petitioner conferred with Patent Owner, and Patent Owner confirmed that it does not oppose this Motion.

I. STATEMENT OF FACTS

Lead counsel Hersh Mehta is a registered practitioner (Reg. No. 62,336) and experienced in *inter partes* proceedings in the USPTO. Backup counsel Brent A. Hawkins is a registered practitioner (Reg. No. 44,146) and experienced in *inter partes* proceedings in the USPTO. Along with Hersh Mehta and Brent Hawkins, Karon Fowler represents Hewlett Packard Enterprise in connection with the pending district court action captioned *Cisco Sys., Inc. v. Hewlett-Packard Enterprise Co.*, Case No. 2:17-cv-13770-AC-RSW (E.D. Mich.).

Karon N. Fowler joined Morgan Lewis as an intellectual property litigation associate in 2016 after serving as a judicial law clerk for the Honorable Eduardo C. Robreno in the U.S. District Court of the Eastern District of Pennsylvania. (Fowler Decl. ¶ 1.)

Since joining Morgan Lewis, Ms. Fowler has primarily focused her practice on patent litigation. (*Id.* at ¶ 2.) In that time, Ms. Fowler has gained experience

conducting technical infringement and validity analysis, working with technical experts to prepare reports on infringement and validity issues, preparing for depositions of technical experts and fact witnesses, briefing claim construction issues, preparing for *Markman* hearings, drafting dispositive motions on a range of technical issues, and representing clients in patent litigation trials and hearings before district courts around the country, arbitral panels, and the International Trade Commission. (*Id.*) Further, Ms. Fowler has assisted her colleagues at Morgan Lewis in proceedings before the Board, and she is familiar with its established practices. (*Id.*)

Ms. Fowler is a member in good standing of the California State Bar admitted to practice in the United States Court of Appeals for the Federal Circuit, the United States Court of Appeals for the Ninth Circuit, and the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California. (*Id.* at ¶ 3.)

She has never been suspended or disbarred from practice before any court or administrative body. (*Id.* at ¶ 4.) She has never had an application for admission to practice before any court or administrated body denied. *Id.* Nor has any court or administrative body imposed sanctions or contempt citations against her. (*Id.*)

Ms. Fowler has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of 37 C.F.R.

(*Id.* at ¶ 5.) She acknowledges and 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). (*Id.*) While Ms. Fowler has not previously applied to appear *pro hac vice* before the Office, she is concurrently applying for admission *pro hac vice* in IPR2019-00032 and IPR2019-00033. (*Id.* at ¶ 6.)

Ms. Fowler has established familiarity with the subject matter at issue this proceeding. (*Id.* at ¶ 7.) She has reviewed in detail and is familiar with U.S. Patent No. 8,902,760 and all exhibits relied upon by Petitioner in this proceeding. (*Id.*) Ms. Fowler also participated in drafting the Petition in this proceeding. (*Id.*) Moreover, Ms. Fowler has engaged and will continue to engage in extensive strategic and substantive discussions regarding this proceeding with Hersh Mehta, who is a registered practitioner and the lead counsel for Petitioner in this proceeding. (*Id.*)

In addition to the foregoing, Ms. Fowler has gained experience with a range of network communication technologies as a patent litigator. (*Id.* at ¶ 8.) For example, Ms. Fowler has been involved in district court matters concerning computer network activity monitors (*Packet Intelligence LLC v. NetScout Systems, Inc.*, No. 2:16-CV-230-JRG (E.D. Tex.)), fax-to-e-mail communication systems via data network (*OpenPrint LLC v. HP Inc.*, 1:17-cv-01077-GMS (D. Del.)), and

serial data communication technology for movable barrier operators (*Certain Access Control Systems And Components Thereof*, Inv. No. 337-TA-1016 (U.S.I.T.C.)). (*Id.*)

II. ANALYSIS

The facts contained in the Statement of Facts above and Ms. Fowler's Declaration establish that there is good cause to admit Ms. Fowler *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Lead counsel Hersh Mehta and backup counsel Brent A. Hawkins are registered practitioners and experienced in *inter partes* proceedings in the USPTO. Ms. Fowler is an experienced patent litigation attorney, and she has an established familiarity with the subject matter at issue in this proceeding.

III. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests the Board admit Karon N. Fowler *pro hac vice* in this proceeding.

Dated: October 26, 2018

Respectfully Submitted,

/Hersh H. Mehta/
Hersh H. Mehta
Reg. No. 62,336

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