

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUNIPER NETWORKS, INC. & PALO ALTO NETWORKS, INC.,
Petitioner,

v.

PACKET INTELLIGENCE LLC,
Patent Owner.

Case IPR2020-00337
U.S. Patent No. 6,771,646

**PETITIONER'S UNOPPOSED MOTION TO WITHDRAW ITS MOTION
TO DISQUALIFY DR. KEVIN ALMEROOTH AND SUPPORTING
EXHIBITS**

I. STATEMENT OF RELIEF REQUESTED

Pursuant to the Board's authorization granted in its August 24, 2020 email, Petitioner respectfully submits this Unopposed Motion to Withdraw Petitioner's Motion to Disqualify Patent Owner's Expert Dr. Kevin Almeroth, and supporting exhibits.

II. STATEMENT OF MATERIAL FACTS

On June 12, 2020, Patent Owner filed Patent Owner's Preliminary Response, as well as Declaration of Kevin C. Almeroth, Ph.D. (Exhibit 2001) and Dr. Almeroth's CV (Exhibit 2043).

On July 6, 2020, Petitioner emailed the Board requesting authorization to file a motion to disqualify Dr. Almeroth (Exhibit 3003). The Board issued an order (Paper No. 11) granting Petitioner's request on July 13, 2020. On July 22, 2020, Petitioner filed its motion to disqualify Dr. Almeroth along with supporting exhibits.

On August 5, 2020, Patent Owner notified the Board via email that the parties had met and conferred to resolve the issues relating to Dr. Almeroth. To resolve these issues, Patent Owner's email stated that (a) Patent Owner agrees to no longer rely on Dr. Almeroth's declaration and any references thereto in the preliminary response, and agrees that Dr. Almeroth will refrain from further participation in these proceedings; and (b) this agreement should render moot Petitioner's motion to disqualify Dr. Almeroth.

On August 24, 2020, the Board authorized Patent Owners to file a motion to withdraw Dr. Almeroth's declaration and CV (Exhibits 2001 and 2043). The Board further authorized Petitioner to file a motion to withdraw its motion to disqualify Dr. Almeroth and the supporting exhibits. Patent Owner indicates that it does not oppose Petitioner filing this motion to withdraw.

III. CONCLUSION

Because Patent Owner has agreed to withdraw its reliance on Dr. Almeroth's declaration and agreed that Dr. Almeroth will refrain from further participation in these proceedings, Petitioner agrees to withdraw its motion to disqualify Dr. Almeroth and the supporting exhibits. Thus, Petitioner respectfully requests that the Board order Petitioner's Motion to Disqualify Dr. Almeroth and the supporting exhibits are WITHDRAWN.

Respectfully submitted,

Dated: August 26, 2020

/Joseph F. Edell/
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