UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CLOUDFLARE, INC. AND SONICWALL INC.,

Petitioner,

v.

SABLE NETWORKS, INC.,

Patent Owner

_____

Case IPR2021-00909

Patent 8,243,593

_____

DECLARATION OF DANIEL P. HIPSKIND
IN SUPPORT OF PATENT OWNER'S
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION
OF DANIEL P. HIPSKIND
UNDER 37 C.F.R. § 42.10(c)

I, Daniel P. Hipskind, declare as follows:

1.   I am an attorney licensed to practice law in the State of California.

2.   I am a member in good standing in all jurisdictions where I have been admitted to practice.

3.   I have never been suspended or disbarred from practice before any court or administrative body.

4.   I have never had an application denied for admission to practice before any court or administrative body.

5.   I have never had any sanctions or contempt citations imposed upon me by any court or administrative body.

6.   I have 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.

7.   I agree to be subject to the U.S.P.T.O. Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

8.   I am a partner at the law firm of Berger & Hipskind LLP.

9.   I have practiced law in California since 2009, and part of my practice has consisted of patent litigation and other patent related matters such as PTAB litigations. A noncomprehensive list of representative patent litigations where I have been actively involved as patent litigation counsel include:

- *Sable Networks, Inc., et al. v. Cloudflare, Inc.*, No. 6:21-cv-00261-ADA (W.D. Tex.).

- *Sable Networks, Inc., et al. v. Splunk Inc., et al.*, No. 5:21-cv-00040-RWS (E.D. Tex.).

- *Castlemorton Wireless, LLC v. Arista Networks, Inc.*, No. 1:20-cv-00482-ADA (W.D. Tex.).

- *Castlemorton Wireless, LLC v. Juniper Networks, Inc.*, No. 1:20-cv-00557-ADA (W.D. Tex).

- *Sable Networks, Inc., et al. v. Cisco Systems, Inc.*, No. 6:20-cv-00288-ADA (W.D. Tex.).

- *Dynamic Data Technologies, LLC v. Intel Corporation*, No. 1:18-cv-01977 (D. Del.).

- *Dynamic Data Technologies, LLC v. Dell Inc.*, No. 1:18-cv-10454 (S.D.N.Y.).

- *DIFF Scale Operation Research, LLC v. Huawei Technologies Co., Ltd.*, No. 2:18-cv-00062-JRG-RSP (E.D. Tex.).

- *DIFF Scale Operation Research, LLC v. Maxim Integrated Products, Inc.*, No. 3:18-cv-00611 (N.D. Tex.).

- *DIFF Scale Operation Research, LLC v. Extreme Networks, Inc.*, No. 1:18-cv-02324 (S.D.N.Y.).

- *University of Tennessee Research Foundation v. Citrix Systems, Inc.*, No. 3:17-cv-00894 (M.D. Tenn.).

- *University of Tennessee Research Foundation v. Microsoft Corporation*, No. 3:17-cv-00184 (E.D. Tenn.).

- *Marking Object Virtualization Intelligence, LLC v. Hitachi Ltd.*, No. 2:16-cv-01055-JRG (E.D. Tex.).

10. My experience in post-grant patent proceedings includes drafting patent owner responses and taking depositions. Representative matters where I am or was actively involved include:

- *Yahoo! Inc. v. CreateAds LLC* (IPR2014-00200).

- *Crestron Electronics, Inc. v. Vesper Technology Research, LLC* (IPR2017-00497).

- *Valens Semiconductor v. Vesper Technology Research, LLC* (IPR2017-00865).

- *Unified Patents Inc. v. Dynamic Data Technologies, LLC* (IPR2019-01085).

- *Arista Networks, Inc., et al. v. Castlemorton Wireless, LLC* (IPR2020-00986).

- *Cloudflare, Inc. v. Sable Networks, Inc.*, (IPR2021-00909).

- *Cloudflare, Inc. v. Sable Networks, Inc.*, (IPR2021-00969).

- *Cloudflare, Inc. v. Sable Networks, Inc.*, (IPR2021-01005).

- *Cloudflare, Inc. v. Sable Networks, Inc.*, (IPR2021-01067).

- *Splunk Inc. v. Sable Networks, Inc.*, (IPR2021-01469).

- *Splunk Inc. v. Sable Networks, Inc.*, (IPR2021-01594).

- *Splunk Inc. v. Sable Networks, Inc.*, (IPR2022-00003).

- *Splunk Inc. v. Sable Networks, Inc.*, (IPR2022-00228).

11.   I have previously been admitted to appear, *pro hac vice*, in the following matter before the U.S.P.T.O:

- *Yahoo! Inc. v. CreateAds LLC* (IPR2014-00200).

12.   I am concurrently applying for *pro hac vice* admission in the following matter before the U.S.P.T.O:

- *Cloudflare, Inc. v. Sable Networks, Inc.* (IPR2021-00969).

13.   A motion requesting my *pro hac vice* admission was filed in *Arista Networks, Inc., et al. v. Castlemorton Wireless, LLC* (IPR2020-00986). However, that *Inter Partes* Review petition was terminated prior to the Board ruling on the *pro hac vice* motion; the Board neither granted nor denied the request for my admission *pro hac vice*.

14.   Other than the matter identified in ¶¶ 11-13 *supra*, I have not applied to appear *pro hac vice* in any other proceedings before the U.S.P.T.O. in the last three years.

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