

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC. AND JUNIPER NETWORKS, INC.¹

Petitioners,

v.

ORCKIT CORPORATION

Patent Owner.

Case IPR2023-00554

U.S. Patent No. 10,652,111

**DECLARATION OF KEN K. FUNG IN SUPPORT OF MOTION
FOR *PRO HAC VICE* ADMISSION**

I, Ken K. Fung, being duly sworn and upon oath, hereby attest to the following:

1. I am a member in good standing of the Bars of California and United States District Court for the Northern District of California.

¹ IPR2024-00037 (Juniper Networks, Inc) has been joined with this proceeding.

2. I have never been suspended or disbarred from practice before any court or administrative body.
3. I have never been denied an application for admission to practice before any court or administrative body.
4. I appeared *pro hac vice* in IPR2021-01445, IPR2022-00141, and IPR2022-00240 before the Office in the last three (3) years.
5. No sanction or contempt citation has ever been imposed against 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 37 C.F.R. Part 42.
7. I will be subject to the USPTO 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 an experienced litigation attorney having familiarity with the subject matter at issue in this proceeding. I have been practicing law since 2011 and have extensive experience litigating patent infringement cases in many different district courts across the country and the International Trade Commission, including drafting briefs before district courts, including in connection with *Markman* hearings, performing patent validity and infringement analyses, conducting discovery investigations, managing expert witnesses, and taking and defending depositions. Many of the cases that I have litigated have involved the kinds of

technologies at issue in this case.

9. I am familiar with U.S. Patent No. 10,652,111 and the issues involved in this case. Petitioner has requested that I represent it in this proceeding.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of June, 2024 in Oakland, California.

By: /Ken K. Fung/
Name: Ken K. Fung
FISCH SIGLER LLP