

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

FOCAL IP, LLC,
Patent Owner.

Cases: IPR2016-01254 and IPR2016-01257¹
Patent 8,457,113 B2

Before SALLY C. MEDLEY, JONI Y. CHANG, and
BARBARA A. PARVIS, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

DECISION

Granting Petitioner's Motion for Admission *Pro Hac Vice* of
Sarah J. Guske
37 C.F.R. § 42.10

Petitioner moves for *pro hac vice* admission of Ms. Sarah J. Guske.
*See, e.g., IPR2016-01254, Paper 11.*² Petitioner provides Declarations from

¹ This Order applies to each of the listed cases. We exercise our discretion to issue one Order to be docketed in each case. The parties, however, are not authorized to use this caption for any subsequent papers.

² Citations herein will be to IPR2016-01254, unless otherwise noted.

Ms. Guske in support of its Motions. *See, e.g., Id.* at Exhibit A.³ Patent Owner has not filed an opposition to Petitioner's Motions.

Based on the facts set forth in the Motions and the accompanying Declarations from Ms. Guske, we conclude that Ms. Guske has sufficient legal and technical qualifications to represent Petitioner in these cases, that Ms. Guske has demonstrated the necessary familiarity with the subject matter of these cases, and that there is a need for Petitioner to have counsel with experience as a litigation attorney in patent matters involved in these cases. Accordingly, Petitioner has established good cause for Ms. Guske *pro hac vice* admission.

Ms. Guske attests that she agrees to be subject to the Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.* Paper 11, Ex. A ¶ 10. However, new Rules of Professional Conduct have been adopted and took affect May 3, 2013. *See Changes to Representation of Others Before the United States Patent and Trademark Office*; Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013). We grant Petitioner's Motion with the requirement that Ms. Guske's representation is subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* Ms. Guske will be permitted to appear *pro hac vice* in these cases as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's Motions for *pro hac vice* admission of Ms. Sarah J. Guske are *granted*, and Ms. Guske is authorized to represent

³ Petitioner attached Exhibit A to its Motion. Petitioner is reminded that its exhibits must be filed as a separate Exhibit and uniquely numbered sequentially in the range of 1001–1999. *See* 37 C.F.R. § 42.63(c).

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Petitioner as back-up counsel in these cases;

FURTHER ORDERED that Petitioner continue to have a registered practitioner as lead counsel in these cases;

FURTHER ORDERED that Ms. Guske comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

FURTHER ORDERED that Ms. Guske is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

PETITIONER:

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