

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

JUNIPER NETWORKS, INC.,  
Petitioner,

v.

IMPLICIT, LLC,  
Patent Owner.

---

IPR2020-00587  
Patent No. 9,591,104

---

**JUNIPER NETWORKS INC.’S UNOPPOSED MOTION FOR *PRO HAC*  
VICE ADMISSION OF DENNIS J. COURTNEY UNDER 37 C.F.R. § 42.10(C)**

***Mail Stop “PATENT BOARD”***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **I. RELIEF REQUESTED**

Pursuant to 37 C.F.R. § 42.10(c), Petitioner Juniper Networks, Inc., by and through its attorneys, respectfully requests that the Board admit Dennis J. Courtney *pro hac vice* in this proceeding.

## **II. GOVERNING LAW, RULES, AND PRECEDENT**

37 C.F.R. § 42.10(c) states as follows:

The Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

## STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of Dennis J. Courtney submitted herewith (Exhibit 1059), Juniper Networks, Inc. submits that a showing of good cause has been made and respectfully requests the *pro hac vice* admission of Dennis J. Courtney in this proceeding:

1. Petitioner's Lead Counsel, Jonathan M. Lindsay, is a registered practitioner (Reg. No. 45,810). First Back-up Counsel, David McPhie, is also a registered practitioner (Reg. No. 56,412).
2. Mr. Courtney is an associate at the law firm of Irell & Manella LLP. Ex. 1059 ¶ 3.
3. Mr. Courtney is an experienced litigating attorney and has been litigating cases relating to patents for over 4 years. *Id.* ¶ 4.
4. Mr. Courtney is a member in good standing of the California State Bar, and has never been suspended or disbarred from practice before any court or administrative body. *Id.* ¶ 5.
5. No application filed by Mr. Courtney for admission to practice before any court or administrative body has ever been denied. *Id.* ¶ 6.

6. No sanctions or contempt citations have been imposed against Mr. Courtney by any court or administrative body. *Id.* ¶ 7.
7. Mr. Courtney has read and agrees to comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations. *Id.* ¶ 8.
8. Mr. Courtney understands that he will be subject to the USPTO Rules of Professional Conduct 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶ 9.
9. Mr. Courtney has not previously sought *pro hac vice* admission before the United States Patent and Trademark Office. *Id.* ¶ 10.
10. Mr. Courtney is also concurrently applying for *pro hac vice* admission in IPR2020-00585, IPR2020-00586, IPR2020-00590, IPR2020-00591 and IPR2020-00592. *Id.* ¶ 11
11. Mr. Courtney has an established familiarity with the subject matter at issue in this proceeding. Mr. Courtney is involved in the related Civil Action No. 2:19-cv-00037-JRG-RSP (E.D. Tex.) involving U.S. Patent No. 9,591,104 (“the ‘104 patent”), which is at issue in this proceeding. Mr. Courtney has acquired substantial understanding of the underlying legal and technological issues at stake in the related proceeding, including issues related to validity of the ‘104 patent. Petitioner has

expended significant time and resources with Mr. Courtney and wishes to continue using Mr. Courtney as counsel in this proceeding as appropriate. *Id.* ¶ 12.

### **III. GOOD CAUSE EXISTS FOR PRO HAC VICE ADMISSION OF DENNIS J. COURTNEY**

The facts outlined above in the Statement of Facts, and contained in the Declaration of Dennis J. Courtney (Ex. 1059), establish that there is good cause to admit Mr. Courtney *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Petitioner's lead counsel and first back-up counsel are registered practitioners. Mr. Courtney is an experienced litigating attorney and has an established familiarity with the subject matter at issue.

### **IV. NO OPPOSITION TO THE MOTION**

Petitioner has conferred with Patent Owner with regard to this Motion, and Patent Owner confirmed that it would not oppose the motion.

### **V. CONCLUSION**

In light of the foregoing, Petitioner respectfully requests that the Board admit Dennis J. Courtney *pro hac vice* in this proceeding.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.