

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

JUNIPER NETWORKS, INC.
Petitioner

v.

IMPLICIT, LLC
Patent Owner

Case: IPR2020-00587
Patent No. 9,591,104

**UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF
WILLIAM ELLSWORTH DAVIS, III**

I. RELIEF REQUESTED

Pursuant to Rule 42.10(c), Patent Owner Implicit, LLC (“Implicit”) respectfully requests *pro hac vice* admission of William E. Davis, III as counsel 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.

III. STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of William E. Davis, III submitted herewith (Exhibit 2014), Implicit, LLC submits that a showing of good cause has been made and respectfully requests the pro hac vice admission of William E. Davis, III in this proceeding:

1. Mr. Davis is an experienced litigation attorney and has an established familiarity with the subject matter at issue in this proceeding. Mr. Davis has been practicing law since 2004 and has extensive experience litigating patent infringement cases in many different District Courts across the country. Among his experience in patent litigation matters, Mr. Davis has been lead counsel in multiple trials, *Markman* hearings, patent summary judgment proceedings, and other patent-related hearings and pleadings concerning, *inter alia*, patent validity and

infringement issues.

2. Mr. Davis is familiar with U.S. Patent Nos. 8,694,683 (“the ’683 Patent”); 9,270,790 (“the ’790 Patent”); 9,591,104 (“the ’104 Patent”); 10,027,780 (“the ’780 Patent”); 10,033,839; (“the ’839 Patent”) and 10,225,378 (“the ’378 Patent”). Mr. Davis has been representing Patent Owner Implicit in pending District Court litigation against Petitioner asserting the ’683, ’790, ’104, ’780, ’839 and ’378 Patents. Among other things, Mr. Davis has been involved in the infringement, claim construction, and validity issues with regard to the ’683, ’790, ’104, ’780, ’839 and ’378 Patents.
3. Mr. Davis is currently admitted *pro hac vice* before the Patent Trial and Appeal Board in *Sonos, Inc. v. Implicit, LLC*; IPR2018-00766 (Patent 7,391,791 B2) and *Sonos, Inc. v. Implicit, LLC* IPR2018-00767 (Patent 8,942,252 B2).

IV. GOOD CAUSE EXISTS FOR PRO HAC ADMISSION

The facts outlined above in the Statement of Facts, and contained in the Declaration William E. Davis, III (Ex. 2014), establish that there is good cause to admit Mr. Davis *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. Davis is an experienced litigating attorney and has an established familiarity with

the subject matter at issue.

V. NO OPPOSITION TO THE MOTION

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

VI. CONCLUSION

For the foregoing reasons as well as the reasons contained in the declaration entered as Exhibit 2014, Implicit respectfully requests admission of William E. Davis, III as counsel pro hac vice.

Respectfully submitted,

THE DAVIS FIRM, P.C.

By: /s/ Christian Hurt Reg.No.63,659
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CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2020, a true copy of the following document(s):

PATENT OWNER IMPLICIT, LLC'S UNOPPOSED MOTION FOR PRO HAC VICE ADMISSION OF WILLIAM E. DAVIS, III UNDER 37 C.F.R. § 42.10C) and EXHIBIT 2014 were served as follows:

Juniper-Implicit@irell.com
Jonathan M. Lindsay
David McPhie
Courtney Dennis
Irell & Manella LLP
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Newport Beach, CA 92660

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 23, 2020 at Dallas, Texas.

/s/Christian J. Hurt
Christian J. Hurt