UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

FLYPSI, INC. (D/B/A FLYP),

Patent Owner.

Case IPR2023-000357

U.S. Patent No. 11,218,585

PATENT OWNER FLYPSI, INC.'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF MATTHEW R. MCCULLOUGH

Mail Stop "Patent Board"
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.10 and the authorization provided by the United States Patent and Trademark Office's Patent Trial and Appeal Board ("Board") in Paper Number 3 (dated February 7, 2023) ("the Notice"), Flypsi, Inc, ("Patent Owner") submits this unopposed motion for Matthew R. McCullough to appear *pro hac vice*. Patent Owner has conferred with Petitioner regarding this motion, and Patent Owner has confirmed that they will not oppose this motion. Patent Owner respectfully requests the Board to recognize Mr. McCullough as counsel *pro hac vice* during this proceeding and demonstrates good cause for doing so as shown below.

I. STATEMENT OF FACTS

A. Matthew R. McCullough

Pursuant to the Notice, the following statement of facts shows that good cause exists for the Board to recognize Mr. McCullough *pro hac vice*. Lead counsel for this proceeding, Louis L. Campbell, is a registered practitioner (Reg. No. 59,963).

Mr. McCullough is a litigation attorney who has been involved in multiple patent infringement cases in federal district courts. Ex. 2005 ¶ 8. He has experience in various aspects of patent infringement matters and has participated in multiple cases in federal courts. *Id.*

Mr. McCullough is a member in good standing of the Bar of California and is admitted to practice before the U.S. District Court for the Eastern District of Texas,

U.S. District Court for the Northern District of California, U.S. District Court for the Central District of California, U.S. District Court for the Eastern District of California, U.S. District Court for the Northern District of Illinois, and U.S. District Court for the Eastern District of Wisconsin. *Id.* ¶ 1.

Mr. McCullough has not been suspended or disbarred from practice, has never had any application for admission to practice denied, and has never had any sanctions or contempt citations imposed against him. *Id.* ¶¶ 2-4.

Mr. McCullough has obtained substantial familiarity with the involved patent, the prior art, and the various issues raised in this proceeding. *Id.* ¶ 8. Moreover, Mr. McCullough has reviewed the involved patent, the Petition, the prior art, and all other cited materials. *Id.* Given this extensive patent litigation experience and his familiarity with the instant Petition, the cited materials, and the patented technology, Mr. McCullough has established familiarity with the subject matter at issue in this proceeding. *Id.*

Mr. McCullough has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of the C.F.R., and he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶¶ 5-6.

Mr. McCullough was admitted pro hac vice in Forescout Technologies, Inc.

v. Fortinet, Inc., IPR2021-00914, Paper 19 (January 14, 2022), Forescout Technologies, Inc. v. Fortinet, Inc., IPR2021-01328, Paper 10 (January 14, 2022), Forescout Technologies, Inc. v. Fortinet, Inc., IPR2021-01329, Paper 11 (January 14, 2022) and Forescout Technologies, Inc. v. K. Mizra LLC, IPR2022-00081, Paper 13 (April 13, 2022). *Id.* ¶ 7.

Given Mr. McCullough's familiarity with the subject matter at issue in this proceeding, Patent Owner respectfully submits that it has shown good cause for the Board to recognize Mr. McCullough as counsel *pro hac vice* during this proceeding.

Lead Counsel	Back-up Counsel
Louis C. Campbell (Reg. # 59,963) WINSTON & STRAWN LLP 255 Shoreline Drive, Suite 520 Redwood City, CA 94065 Telephone: +1 650-858-6500 Facsimile: +1 650-858-6550 Email: LLcampbell@winston.com	**Juan C. Yaquian (Reg. # 70,755)** WINSTON & STRAWN LLP 800 Capitol Street, Suite 2400 Houston, TX 77002 Telephone: +1 713-651-2600 Facsimile: +1 713-651-2700 Email: JYaquian@winston.com **Michael A. Bittner (*PHV Motion Forthcoming*)** WINSTON & STRAWN LLP 2121 N Pearl Street, Suite 900 Dallas, TX 75201 Telephone: +1 214-453-6464 Facsimile: +1 214-453-6400 Email: MBittner@winston.com **William M. Logan (*PHV Motion**

	Forthcoming*)** WINSTON & STRAWN LLP 800 Capitol Street, Suite 2400 Houston, TX 77002 Telephone: +1 713-651-2600 Facsimile: +1 713-651-2700 Email: WLogan@winston.com **Matthew R. McCullough *(PHV Motion Forthcoming) WINSTON & STRAWN LLP 255 Shoreline Drive, Suite 520 Redwood City, CA 94065 Telephone: +1 650-858-6500 Facsimile: +1 650-858-6550 Email: MRMcCullough@winston.com

Date: August 24, 2023

Respectfully submitted,

By: /s/Louis L. Campbell

Louis L. Campbell (Reg. # 59,545)
WINSTON & STRAWN LLP
255 Shoreline Drive, Suite 520
Redwood City, CA 94065
Telephone: +1 650-858-6500
Facsimile: +1 650-858-6550
LLCampbell@winston.com

CERTIFICATE OF SERVICE

The undersigned certificates that the above document was served on August 24, 2023, via electronic mail upon the following attorneys of record for the Petitioner:

Naveen Modi (Reg. # 46,224)
Joseph E. Palys (Reg. # 46,508)
Daniel Zeilberger (Reg. #65,349)
Howard Herr (pro hac vice to be filed)
Puja Patel (pro hac vice to be filed)
PAUL HASTINGS LLP
2050 M St NW,
Washington, D.C. 20036
Telephone: (202) 551-1700
Fax: (202) 551-1705
PH-Google-Flypsi-IPR@paulhastings.com
naveenmodi@paulhastings.com
josephpalys@paulhastings.com
danielzeilberger@paulhastings.com
howardherr@paulhastings.com
pujapatel@paulhastings.com

Date: August 24, 2023

By: /s/Louis L. Campbell
Louis L. Campbell (Reg. # 59,545)

Attorney for Flypsi, Inc.