

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner

v.

ORCKIT CORPORATION,
Patent Owner.

Case IPR2023-00402
Patent No. 8,830,821

**PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION PURSUANT TO 37 C.F.R. §42.10(c)**

Patent Owner Orckit Corporation respectfully requests that the Board recognize Michael Ng as counsel *pro hac vice* during this proceeding.

I. BACKGROUND

Patent Owner's Motion for *Pro Hac Vice* Admission is being filed in compliance with and pursuant to the "Order—Authorizing Motion for *Pro Hac Vice* Admission" in Case No. IPR2013-00639, Paper 7 (MPT) ["the Order"]. In particular, this motion for *pro hac vice* Admission is being filed no sooner than twenty one (21) days after service of the petition.

Further, this motion is authorized by the Notice of Filing Date Accorded To Petition and Time For Filing Patent Owner Preliminary Response (Paper 5).

II. STATEMENT OF FACTS

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Ng *pro hac vice*.

Mr. Ng is an experienced patent litigation attorney with more than ten years of experience. In that time, he has served as counsel in numerous patent infringement suits before the U.S. District Courts for the Eastern District of Virginia, Eastern District of Texas, and District of Delaware and is admitted to practice in the U.S. District Courts for the Eastern District of Texas, Eastern District of New York, and Southern District of New York.

Mr. Ng has reviewed and is very familiar with (i) U.S. Patent No. 8,830,821

(the “’821 patent”), the patent-at-issue in this proceeding, (ii) the prior art relied upon in Petitioner’s Petition, (iii) the legal and factual arguments that have been addressed by Patent Owner, and (iv) the developments in this proceeding since the filing of the Petition. Mr. Ng was counsel for Orckit Corporation in the related district court case, *Orckit Corporation. v. Cisco Systems, Inc.*, No. 2:22-cv-00276-JRG-RSP (E.D. Tex.) (dismissed without prejudice on September 22, 2023), in which Orckit Corporation had asserted the ’821 patent against Cisco Systems, Inc.

Because Mr. Ng is an experienced practitioner with an established familiarity with the subject matter of this proceeding, Patent Owner respectfully submits that there is good cause for the Board to recognize Mr. Ng as counsel *pro hac vice* during this proceeding.

III. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Patent Owner’s Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Michael Ng attached hereto as Exhibit 2024 as required by the Order.

Date: October 5, 2023

Respectfully submitted,

/Stephen P. McBride
Stephen P. McBride
Reg. No. 78,396

James T. Carmichael
Reg. No. 45,306

Carmichael IP, PLLC

Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following documents were served
by electronic service, by agreement between the parties, on the date below:

**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION
PURSUANT TO 37 C.F.R. §42.10(c)
EXHIBIT 2024**

The names and email addresses of the parties being served are as follows:

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Respectfully submitted,

Stephen P. McBride

Date: October 5, 2023