UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORCEPOINT LLC,
Petitioner

v.

WEBROOT, INC. AND OPEN TEXT, INC.,
Patent Owners.

IPR2023-00784
U.S. Patent No. 8,438,386

PETITIONER'S UNOPPOSED MOTION FOR PRO HACE VICE ADMISSION OF NADIA E. HAGHIGHATIAN

Petitioner Forcepoint LLC ("Forcepoint" or "Petitioner") requests the Board recognize Nadia E. Haghighatian as counsel *pro hac vice* during this proceeding. A power of attorney from Petitioner appointing her as backup counsel was previously filed (Paper 1).

This Motion for Admission *Pro Hac Vice* is being filed with the Board's authorization (Paper 5 at 2) under 37 C.F.R. 42.10(c). The Declaration of Nadia E. Haghighatian supporting this motion is filed as Exhibit 1015. Petitioner has confirmed that Patent Owner does not oppose this motion in correspondence with Petitioner dated September 5, 2023.

I. STATEMENT OF FACTS ESTABLISHING GOOD CAUSE

Forcepoint's lead counsel is a registered practitioner: Kat Li (Reg. No. 64,857).

As demonstrated below, there is good cause for the Board to recognize Ms. Haghighatian's *pro hac vice*.

1. Ms. Haghighatian is an experienced patent litigation attorney with over 9 years of experience representing clients in patent litigation matters in various United States District Courts.

2. Ms. Haghighatian has an established familiarity with the subject matter of U.S. Patent No. 8,438,386, at issue in this proceeding through participation in the district court litigation which involves U.S. Patent 8,438,386 (*Webroot, Inc. et al v.*

Forcepoint LLC, No. 6:22-cv-342 (W.D. Tex.) (filed March 31, 2022) (consolidated with lead case No. 6:22-cv-243)), and through participation in the briefing of the currently pending *inter partes* review proceeding.

3. Ms. Haghighatian is a member in good standing of the Bar of the State of Texas. She is also admitted to practice before the United States District Courts for the Northern, Southern, Western, and Eastern Districts of Texas; the United States Court of Appeals for the Federal Circuit; and the United States Court of Appeals for the Fifth Circuit.

4. Ms. Haghighatian has never been suspended or disbarred from practice before any court or admission.

5. Ms. Haghighatian has had an application for admission *pro hac vice* denied without prejudice due to an expired certificate of good standing, but that application was subsequently granted following submission of a renewed certificate. Other than that instance, Ms. Haghighatian has never had a court or administrative board deny an application for admission to practice.

6. Ms. Haghighatian has never been sanctioned or cited for contempt by any court or administrative body.

7. Ms. Haghighatian has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trial set forth in 37 C.F.R. part 42.

8. Ms. Haghighatian agrees to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(e).

9. In the past three years, Ms. Haghighatian has not applied for or appeared *pro hac vice* in any USPTO proceedings.

II. GOOD CAUSE EXISTS FOR THE *PRO HAC VICE* ADMISSION OF MS. HAGHIGHATIAN IN THIS PROCEEDING

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 any other conditions the Board may impose. 37 C.F.R. § 42.10(c). Forcepoint's lead counsel in Patent Trial and Appeal Board matters, Kat Li, is a registered practitioner before the Board. Based on the facts contain herein, good cause exists to admit Ms. Haghighatian *pro hac vice*.

Ms. Haghighatian is an experienced patent litigation attorney. Ms. Haghighatian has significant experience in patent litigation matters and is actively involved with the strategy and fact development in the matter. In view of Ms. Haghighatian's extensive patent litigation and her knowledge of the subject matter of this proceeding, Forcepoint has a substantial need for Ms. Haghighatian's *pro hac vice* admission and her involvement in the continued prosecution of this proceeding.

III. CONCLUSION

For the foregoing reasons, Forcepoint respectfully requests that Nadia E. Haghighatian be admitted *pro hac vice*.

Respectfully submitted,

Dated: October 24, 2023

By: /*Kat Li*/

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CERTIFICATE OF SERVICE

In compliance with 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing document was served on October 24, 2023, via electronic mail to OpenText_Webroot@kslaw.com and the attorneys of record below:

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