IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC. AND JUNIPER NETWORKS, INC.[1]

Petitioners,

v.

ORCKIT CORPORATION

Patent Owner.

Case IPR2023-00554

U.S. Patent No. 10,652,111

PETITIONER'S UNOPPOSED MOTION FOR WITHDRAWAL AND SUBSTITUTION OF LEAD COUNSEL

[1] IPR2024-00037 (Juniper Networks, Inc.) has been joined with this proceeding.

Pursuant to 37 C.F.R. § 42.10, Petitioner respectfully requests that the Board authorize withdrawal of Nathan K. Cummings (Reg. No. 46,093) of Fisch Sigler LLP as its lead counsel, and substitute Marc David Peters (Reg. No. 46,988) of Turner Boyd Seraphine LLP as lead counsel in this matter. The founders of Fisch Sigler LLP are starting an AI-focused startup business on January 1, 2025, making December 31, 2024, Fisch Sigler LLP's last day of operations.

On December 11, 2024, Petitioner emailed the Board requesting authorization to file this Motion. In an email dated December 12, 2024, the Board granted that request.

Petitioner is still represented by its backup counsel, Ken K. Fung, at his new role at Turner Boyd Seraphine LLP. Petitioner's new counsel, Mr. Peters, meets the requirements of 37 C.F.R. § 42.10(c) as lead counsel and as a registered practitioner. In identifying and designating new counsel who is ready and able to take over the representation, Petitioner has taken reasonable steps to avoid any prejudice to the client.[2] And granting this motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding.[3] Petitioner will not seek

[2] *See* 37 C.F.R. § 10.40(a).

[3] *See* 35 U.S.C. § 316(b).

any extensions of time as a result of this Motion. Thus, good cause exists for Petitioner's request.

And Patent Owner has indicated that it does not oppose the requested withdrawal and substitution of lead counsel. To the extent this Motion is granted, Petitioner will file a Substitute Power of Attorney and Updated Mandatory Notice.

Respectfully submitted,

/Ken K. Fung/
Ken K. Fung (pro hac vice)
FISCH SIGLER LLP
Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Petitioner's Unopposed Motion for Withdrawal and Substitution of Lead Counsel was served via electronic mail to the following attorneys of record for Patent Owner and Petitioner Cisco Systems, Inc.:

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Dated: December 13, 2024

Respectfully submitted,

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