

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUNIPER NETWORKS, INC.,
Petitioner,

v.

MONARCH NETWORKING SOLUTIONS LLC,
Patent Owner.

IPR2024-00485
Patent 8,451,844 B2

Before THU A. DANG, BRIAN J. McNAMARA, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motion for *Pro Hac Vice*
Admission of Christopher Sabbagh
37 C.F.R. § 42.10

On October 21, 2024, Petitioner filed a Motion for *Pro Hac Vice* Admission of Christopher Sabbagh in the above-captioned proceeding. Paper 15 (“Motion”). The Motion is supported by a Declaration of Mr. Sabbagh (“Declaration”).¹ Patent Owner has not filed an opposition to Petitioner’s Motion. For the reasons below, Petitioner’s Motion is *granted*.

Pursuant to 37 C.F.R. § 42.10(c), we 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. A motion for *pro hac vice* admission must contain a statement of facts showing there is good cause for us to recognize counsel *pro hac vice* during the proceeding and be accompanied by an affidavit or declaration of the individual seeking to appear. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, slip op. at 3–4 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”).

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude that Mr. Sabbagh has sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Mr. Sabbagh has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Mr. Sabbagh meets all other requirements for admission *pro hac vice*. *See* Declaration ¶¶ 1–10. Accordingly, Petitioner has established good cause for *pro hac vice*

¹ The Declaration was not filed as an exhibit but was part of the Motion. Petitioner is reminded that affidavits and declarations must be filed as exhibits. *See* 37 C.F.R. § 42.63(a) (“Evidence consists of affidavits, transcripts of depositions, documents, and things. All evidence must be filed in the form of an exhibit.”).

admission of Mr. Sabbagh. Mr. Sabbagh will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

Upon a review of the record before us, we additionally note that, in accordance with 37 C.F.R. § 42.10(b), a Power of Attorney has been submitted for Mr. Sabbagh (Paper 14), but Updated Mandatory Notices in accordance with 37 C.F.R. § 42.8(b)(3) have not been submitted identifying Mr. Sabbagh.

It is, therefore,

ORDERED that Petitioner's Motion for *Pro Hac Vice* Admission of Christopher Sabbagh is granted; Mr. Sabbagh is authorized to act only as back-up counsel;

FURTHER ORDERED that Petitioner must file Updated Mandatory Notices identifying Mr. Sabbagh as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel;

FURTHER ORDERED that Mr. Sabbagh is to comply with the Consolidated Trial Practice Guide² (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and the Board's Rules of Practice for Trials as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Mr. Sabbagh is to be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the

² Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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For PETITIONER:

James M. Glass
Todd M. Briggs
Nima Hefazi
Kevin Johnson
Christopher Sabbagh
QUINN EMANUEL URQUHART & SULLIVAN, LLP
jimglass@quinnemanuel.com
toddbriggs@quinnemanuel.com
nimahefazi@quinnemanuel.com
kevinjohnson@quinnemanuel.com
chrissabbagh@quinnemanuel.com

For PATENT OWNER:

R. Allan Bullwinkel
Michael F. Heim
Christopher L. Limbacher
HEIM, PAYNE & CHORUSH, LLP
abullwinkel@hpcllp.com
mheim@hpcllp.com
climbacher@hpcllp.com