

IPR2024-00659

Petitioner's Motion for *Pro Hac Vice* Admission of Michael J. Sacksteder

Filed on behalf of DATABRICKS, INC.

By:

Dargaye Churnet, Reg. No. 71,288

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATABRICKS, INC.,
Petitioner,

v.

R2 SOLUTIONS LLC,
Patent Owner.

Case No. IPR2024-00659

Patent No. 8,190,610

**PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION
OF MICHAEL J. SACKSTEDER PURSUANT TO 37 C.F.R. § 42.10(c)**

EXHIBIT LIST

Exhibit	Description
EX-1001	U.S. Patent No. 8,190,610 to Dasdan (“the ’610 patent”)
EX-1002	U.S. Patent No. 7,590,620 to Pike
EX-1003	U.S. Patent Publication No. 2006/0218123 to Chowdhuri
EX-1004	File History of U.S. Patent No. 8,190,610
EX-1005	Declaration of Jimmy Lin, Ph.D. from IPR2024-00303 (“Lin Declaration”)
EX-1006	Curriculum Vitae of Jimmy Lin, Ph.D.
EX-1007	Claim Construction Memorandum Opinion and Order, <i>R2 Solutions LLC v. Deezer S.A.</i> , 4:21-cv-00090, Dkt. 45 (E.D. Tex. Jan. 4, 2022)
EX-1008	Claim Construction Memorandum Opinion and Order, <i>R2 Solutions LLC v. American Airlines, Inc.</i> , 4:22-cv-00353, Dkt. 58 (E.D. Tex. Apr. 3, 2023)
EX-1009	Jeffrey Dean et al., MapReduce: Simplified Data Processing on Large Clusters, Sixth Symposium on Operating System Design and Implementation, San Francisco, CA, December 2004
EX-1010	[Reserved]
EX-1011	Jeffrey Dean et al., MapReduce: Simplified Data Processing on Large Clusters, available at https://research.google.com/archive/mapreduce-osdi04-slides/index.html
EX-1012	[Reserved]
EX-1013	[Reserved]
EX-1014	[Reserved]
EX-1015	[Reserved]

Exhibit	Description
EX-1016	Kimberly Tripp, "SQL Server 2005: Partitioned Tables and Indexes," SQLSkills.com (Sep. 24, 2004), available at https://www.sqlskills.com/resources/whitepapers/partitioning%20in%20sql%20server%202005%20beta%20ii.htm)
EX-1017	U.S. Patent No. 5,797,000 to Bhattacharya
EX-1018	U.S. Patent No. 7,020,661 to Cruanes
EX-1019	[Reserved]
EX-1020	Oracle Database SQL Reference 10g
EX-1021	"Join (SQL)," Wikipedia.org (Aug. 11, 2004)
EX-1022	Hung-chih Yang, et al., <i>Map-Reduce-Merge: Simplified Relational Data Processing on Large Clusters</i> , SIGMOD '07: Proceedings of the 2007 ACM SIGMOD International Conference on Management of Data (2007)
EX-1023	[Reserved]
EX-1024	U.S. Patent No. 6,343,295 to MacLeod
EX-1025	U.S. Patent Publication No. 2005/0165865 to Farmer
EX-1026	Listing of Claims of U.S. Patent No. 8,190,610
EX-1027	Declaration of Jimmy Lin, Ph.D.
EX-1028	Declaration of Michael J. Sacksteder in support of Petitioner's Motion for <i>Pro Hac Vice</i> Admission Pursuant to 37 C.F.R. § 42.10(c)

I. RELIEF REQUESTED

Pursuant to the authorization provided by the Board in Paper No. 5 at page 2, Petitioner Databricks, Inc. petitions under 37 C.F.R. § 42.10(c) for the *pro hac vice* admission of Michael J. Sacksteder in this proceeding.

II. GOVERNING LAWS, RULES, AND PRECEDENT

Section 42.10(c) states as follows:

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 to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

III. STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of Michael J. Sacksteder submitted herewith as Exhibit 1028 (“Ex. 1028”), Petitioner submits that a showing of good cause has been made and respectfully requests the *pro hac vice* admission of Michael J. Sacksteder in this proceeding:

1. This authorized petition is filed more than twenty-one (21) days after Petitioner's service of the PETITION FOR INTER PARTES REVIEW OF U.S. PATENT 8,190,610 (Paper No. 1).

2. Petitioner's current lead counsel, Dargaye Churnet, is a registered practitioner (Reg. No. 71,288).

3. Mr. Sacksteder is a partner at the law firm of Fenwick & West LLP. Ex. 1028 ¶ 3.

4. Mr. Sacksteder is an experienced litigating attorney and has been litigating cases relating to patents for over twenty-five years. *Id.* ¶ 4.

5. Mr. Sacksteder has an established familiarity with the subject matter at issue in this proceeding. *Id.* ¶ 11. He has also reviewed the challenged patent and the petition filed in this case. *Id.*

6. Mr. Sacksteder is a member in good standing of the California State Bar. *Id.* ¶ 5.

7. Mr. Sacksteder has never been suspended or disbarred from practice before any court or administrative body. *Id.* ¶ 5.

8. No application filed by Mr. Sacksteder for admission to practice before any court or administrative body has ever been denied. *Id.* ¶ 6.

9. No sanctions or contempt citations have been imposed against Mr. Sacksteder by any court or administrative body. *Id.* ¶ 7.

10. Mr. Sacksteder has read and agrees to comply with the Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R. *Id.* ¶ 8.

11. Mr. Sacksteder understands that he will be subject to the USPTO Rules of Professional Conduct 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶ 9.

12. On August 15, 2023, Mr. Sacksteder applied to be admitted *pro hac vice* in *Inter Partes* Review Nos. IPR2022-00341, IPR2022-00342, and IPR2022-00339. On August 2, 2023, Mr. Sacksteder applied to be admitted *pro hac vice* in *Inter Partes* Review Nos. IPR2022-00923, IPR2022-00924, and IPR2022-00925. Additionally, Mr. Sacksteder has appeared *pro hac vice* in numerous IPR petitions prior to the three-year period. *Id.* ¶ 10.

IV. GOOD CAUSE EXISTS FOR THE ADMISSION *PRO HAC VICE* OF MR. SACKSTEDER IN THIS PROCEEDING

The facts outlined above in the Statement of Facts, and contained in the Declaration of Michael J. Sacksteder (Ex. 1028), establish the good cause to admit Mr. Sacksteder *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Mr. Sacksteder is an experienced litigating attorney, and Mr. Sacksteder has an established familiarity with the subject matter at issue.

V. CONCLUSION

For the foregoing reasons as well as the reasons in the attached declaration, Petitioner Databricks, Inc. respectfully requests the *pro hac vice* admission of Michael J. Sacksteder in this proceeding.

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April 25, 2024

Respectfully submitted,

FENWICK & WEST LLP

/Dargaye Churnet/

Dargaye Churnet

Reg. No. 71,288

Attorneys for Petitioner

Databricks, Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on April 25, 2024, I caused a true and correct copy of the forgoing PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION OF MICHAEL J. SACKSTEDER and supporting **Exhibit 1028** to be electronically served on Patent Owner's lead and backup counsel at the following addresses:

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Dated: April 25, 2024

Respectfully submitted,

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/Dargaye Churnet/

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Reg. No. 71,288

Attorneys for Petitioner

Databricks, Inc.