

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VMware, Inc.
Petitioner,

v.

Cirba IP, Inc.
Patent Owner.

Case: PGR2021-00098
Patent: 10,951,459

**DECLARATION OF STEPHEN LIU IN SUPPORT OF
MOTION FOR ADMISSION PRO HAC VICE**

I, Stephen Liu, declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am also admitted to practice before the U.S. District Court for the Northern District of California. I am a member in good standing in all jurisdictions where I have been admitted to practice.

2. I have never been suspended or disbarred from practice before any court or administrative body.

3. I have never had an application denied for admission before any court or administrative body.

4. I have never had any sanctions or contempt citations imposed by any court or administrative body.

5. I have read and agree to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of Title 37, Code of Federal Regulations.

6. I affirm my agreement before the USPTO to be subject to the USPTO Code of Professional Responsibility 37 C.F.R. §§ 10.20 *et seq.*, Rules of Professional Conduct 37 C.F.R. §§ 11.101 *et seq.*, and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. In addition to this proceeding, I have applied to appear *pro hac vice* in two other proceedings before the USPTO in connection with the patent at issue,

U.S. Patent No. 10,951,459 (*see* IPR2021-01210; IPR2021-01211), and one proceeding in connection with a related patent, U.S. Patent No. 10,523,492 (*see* IPR2021-00008). U.S. Patent No. 10,523,492 is a parent of the patent at issue in this proceeding, U.S. Patent No. 10,951,459 (“the ’459 Patent”).

8. In the last three years, I have also applied to appear *pro hac vice* in two proceedings unrelated to the ’459 patent, namely IPR2020-01601 and IPR2020-01625. The Board granted the motion in both proceedings.

9. I have been an associate at the law firm Morrison & Foerster LLP since October of 2017. I have worked on patent litigation matters during my entire tenure at the firm, and at all phases of the litigation process from pre-filing investigations to jury trial, including drafting of pleadings, expert discovery, and specialized patent-related proceedings such as *Markman* hearings and invalidity contentions.

10. I am familiar with the subject matter at issue in this proceeding. I have been engaged by the Petitioners to represent the Petitioners before the Board in this proceeding. I have undertaken the study of *inter alia* the ’459 Patent, the Petition for Post-Grant Review, and the art cited in the Petition. I am also familiar with the co-pending consolidated litigation identified by the Petitioner in the Petition for Post-Grant Review (page 55). I have acquired a substantial understanding of the underlying legal and technological issues at stake in these

proceedings.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the Petition for Post-Grant Review of U.S. Patent No. 10,951,459.

Dated: August 25, 2021

By: /Stephen Liu/
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