

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VMWARE, INC.,
Petitioner,

v.

CIRBA IP, INC.,
Patent Owner.

PGR2021-00098
Patent 10,951,459 B2

Before JUSTIN T. ARBES, DAVID C. McKONE, and RUSSELL E. CASS,
Administrative Patent Judges.

CASS, *Administrative Patent Judge.*

ORDER
*Granting Patent Owner's Motion for Pro Hac Vice
Admission of Wesley White
37 C.F.R. § 42.10*

Cirba IP, Inc. (“Patent Owner”) filed a motion for *pro hac vice* admission of Wesley White in this proceeding. *See* Paper 27. The motion is supported by a declaration from Mr. White. Ex. 2023. VMware, Inc. (“Petitioner”) does not oppose the motion. Paper 27, 1. We have reviewed Patent Owner’s motion and Mr. White’s declaration and determine that the requirements of 37 C.F.R. § 42.10 have been met and there is good cause to admit Mr. White *pro hac vice*. Patent Owner is to file a Power of Attorney and update its Mandatory Notices identifying Mr. White as back-up counsel.

ORDER

It is therefore

ORDERED that Patent Owner’s motion for *pro hac vice* admission of Wesley White is *granted*;

FURTHER ORDERED that Mr. White is authorized to appear as back-up counsel for Patent Owner in this proceeding, but may not act as lead counsel;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel in this proceeding;

FURTHER ORDERED that, within ten (10) business days of the date of this order, Patent Owner must submit a Power of Attorney for Mr. White in this proceeding in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that, within ten (10) business days of the date of this order, Patent Owner must update its mandatory notices identifying Mr. White as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Mr. White is to comply with the

Consolidated Trial Practice Guide¹ (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 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. White is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq.

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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Patent 10,951,459 B2

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