

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

**PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION OF
ANDREA L. SCRIPA UNDER 37 C.F.R. § 42.10(c)**

I. Relief Requested

Pursuant to 37 C.F.R. § 42.10, Petitioner VMware, Inc. requests that the Board admit Andrea L. Scripa *pro hac vice* in this proceeding.

II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding, subject to the conditions set forth therein, and any others that the Board may impose. Petitioner sets forth these facts in support of this motion:

1. Counsel for Petitioner has contacted counsel for Patent Owner Cirba IP, Inc., who indicated that Patent Owner did not plan to oppose Ms. Andrea L. Scripa's admission *pro hac vice*.

2. Lead counsel for Petitioner VMware, Inc., Diek O. Van Nort, is a registered practitioner.

3. Counsel, Andrea L. Scripa, is an experienced litigator and has established familiarity with the subject matter at issue in this proceeding.

Accompanying this motion is **Exhibit 1022**, the Declaration of Andrea L. Scripa in Support of this Motion for Admission Pro Hac Vice ("Scripa Decl."). In her declaration, Ms. Scripa attests, among other things, that she is a member in good standing of the New York and Massachusetts Bars, the Federal Circuit, and several United States District Courts. Ms. Scripa has more than 3 years of experience in

patent litigation at all phases of the litigation process from pre-filing investigations up to trial, including drafting of pleadings, expert discovery, and specialized patent-related proceedings such as *Markman* hearings and invalidity contentions. (Scripa Decl. ¶ 7.) Ms. Scripa also has 2 years of industry experience with technologies related to those disclosed in U.S. Patent No. 10,951,459 (“the ’459 Patent”), including hosted software, client-server communications, and administering distributed computing environments. (Scripa Decl. ¶ 8.) In addition, Ms. Scripa’s familiarity with the subject matter at issue in this proceeding is demonstrated by her review of the ’459 Patent, all cited prior art, and the PGR petition in this matter. (Scripa Decl. ¶ 9.)

4. In her declaration, Ms. Scripa attests as to her admission to practice in other courts, as well as each of the required items set forth by 37 C.F.R. § 42.10(c). (Scripa Decl. ¶¶ 1–9.)

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Andrea L. Scripa *pro hac vice* in this proceeding.

Date: August 25, 2021

Respectfully Submitted,

By: /s/ Diek Van Nort

Diek O. Van Nort

Registration No.: 60,777

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Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached Petitioner's Motion for Pro Hac Vice Admission of Andrea L. Scripa Under 37 C.F.R. § 42.10(c) and the Supporting Declaration of Andrea L. Scripa were served on the date listed below via electronic mail upon the following counsel of record for Patent Owner:

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Dated: August 25, 2021

/s/ Diek Van Nort
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