

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
STEPHEN LIU 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 Stephen Liu *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 Mr. Stephen Liu's admission *pro hac vice*.

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

3. Counsel, Stephen Liu, is an experienced litigator and has established familiarity with the subject matter at issue in this proceeding. Accompanying this motion is **Exhibit 1021**, the Declaration of Stephen Liu in Support of this Motion for Admission Pro Hac Vice ("Liu Decl."). In his declaration, Mr. Liu attests, among other things, that he is a member in good standing of the California Bar and U.S. District Court for the Northern District of California. Mr. Liu 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. (Liu Decl. ¶ 9.) In addition, Mr. Liu's familiarity with the subject matter at issue in this proceeding is demonstrated by his review of the '459 Patent, all cited prior art, and the IPR petition in this matter. (Liu Decl. ¶ 10.)

4. In his declaration, Mr. Liu attests as to his admission to practice in other courts, as well as each of the required items set forth by 37 C.F.R. § 42.10(c). (Liu Decl. ¶¶ 1–10.)

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Stephen Liu *pro hac vice* in this proceeding.

Date: August 25, 2021

Respectfully Submitted,

By: /s/ Diek Van Nort

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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 STEPHEN LIU UNDER 37 C.F.R. § 42.10(C) and the SUPPORTING DECLARATION OF STEPHEN LIU were served on the date listed below via electronic mail upon the following counsel of record for Patent

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Dated: August 25, 2021

/s/ Diek Van Nort
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