

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Inventor: Jeffery Bruce McGeorge | § | Attorney Docket No.: PGR-2012-111 |
| United States Patent No.: 7,941,357 | § | |
| Formerly Application No.: 10/451022 | § | |
| Issue Date: January 25, 2011 | § | |
| PCT Filing Date: October 26, 2001 | § | Case No: CBM2013-00005 |
| Former Examiner: Ella Colbert | § | Patent Owner: Market-Alerts Pty Ltd |

For: Trading System

MAIL STOP PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

**MARKETS-ALERT'S MOTION FOR
PRO HAC VICE ADMISSION OF ADRIAN PRUETZ**

I. Relief Requested

Pursuant to 37 C.F.R. § 42.10 and Patent Owner's Request for Authorization to file for *Pro Hac Vice* admission filed concurrently herewith and dated November 8, 2012, Patent Owner, Markets-Alert Pty Ltd requests that the Board admit Adrian Pruetz *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 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. § 42.10(c) indicates that, "where lead counsel is a registered practitioner, a motion to appear *pro hac vice*

may be granted upon a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Adrian Pruetz *pro hac vice* during this proceeding.

1. Lead counsel, Andrew Choung, is a registered practitioner.

2. Counsel, Adrian Pruetz, is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion is the Declaration of Adrian Pruetz in Support of this Motion for Admission *Pro Hac Vice* of Adrian Pruetz (“Pruetz Dec.”). In her declaration, Ms. Pruetz attests, *inter alia*, that: “I am a member in good standing of the Bar of the State of California and am admitted to practice before the United States Supreme Court, Courts of Appeal for the Seventh, Ninth and Federal Circuits, and United States District Courts for the Central, Northern, Southern and Eastern Districts of California, the Northern District of Illinois, the Eastern District of Texas, the District of Colorado, the Eastern and Western Districts of Wisconsin, the Eastern District of Michigan and all California state courts. I am a member of the Los Angeles Intellectual Property Law Association (LAIPLA), and the American, Federal and California Bar Associations. I have been in private practice and litigating patent cases May, 1982....” Pruetz Dec., ¶ 2-4. Ms. Pruetz also attests that: “I am familiar with the subject matter at issue in this proceeding. I am lead counsel in each of the following proceedings, which are related to and involve the same patent at issue in this proceeding:

- i.) *Markets-Alert Pty. Ltd. v. Bloomberg Finance L.P. et al.*, Civil Action No. 1:12-CV-00780-GMS, D. Del. (filed June 20, 2012).
- ii.) *Markets-Alert Pty. Ltd. v. The Charles Schwab Corporation et al.*, Civil Action No. 1:12-CV-00781-GMS, D. Del. (filed June 20, 2012).

- iii.) *Markets-Alert Pty. Ltd. v. E*TRADE CLEARING LLC et al.*, Civil Action No. 1:12-CV-00782-GMS, D. Del. (filed June 20, 2012).
- iv.) *Markets-Alert Pty. Ltd. v. TD Ameritrade Holding Corp. et al.*, Civil Action No. 1:12-CV-00783-GMS, D. Del. (filed June 20, 2012).
- v.) *Markets-Alert Pty. Ltd. v. OM Securities LLC et al.*, Civil Action No. 1:12-CV-00784-GMS, D. Del. (filed June 20, 2012).
- vi.) *Markets-Alert Pty. Ltd. v. eSignal.com Inc. et al.*, Civil Action No. 1:12-CV-00785-GMS, D. Del. (filed June 20, 2012).

Id., ¶ 10.

3. In her declaration, Ms. Pruetz also attests to each of the listed items required by 37 C.F.R. § 42.10(c). See Pruetz Dec., ¶¶ 1-11.

III. Conclusion

For the foregoing reasons, Markets-Alert Pty Ltd respectfully requests that the Board admit Adrian Pruetz *pro hac vice* in this proceeding.

Respectfully Submitted,

/s/ Andrew Choung/

Andrew Choung, Lead Counsel
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November 8, 2012

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing PATENT OWNER MARKETS-ALERT'S MOTION FOR ADMISSION *PRO HAC VICE* OF ADRIAN PRUETZ was served on November 9, 2012 by causing it to be deposited in the United States Postal Service as Express Mail (Label No. EI 575260728) postage pre-paid in an envelope addressed to counsel for petitioner at the following address:

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