

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CALLIDUS SOFTWARE INC.
Petitioner

v.

VERSATA SOFTWARE, INC. AND VERSATA DEVELOPMENT
GROUP, INC.
Patent Owner

Case CBM2013-00054
Patent 7,098,304

Filed: September 17, 2013

Before PATRICK E. BAKER, *Trial Paralegal*

**DECLARATION OF ASSAD H. RAJANI IN SUPPORT OF MOTION TO
APPEAR *PRO HAC VICE***

I, Assad H. Rajani, declare as follows:

1. I am an associate with the law firm of Dickstein Shapiro LLP. I have personal knowledge of the following facts, except those stated on information and belief, which I believe to be true. If called to testify, I could and would testify competently to the contents hereof.

Callidus Ex. 1014

Pro Hac Order, Part 2 (b)(i) -- Membership in Good Standing of a State Bar:

2. I am a member in good standing of the Bar of the State of California.

Pro Hac Order, Part 2 (b)(ii) -- No Suspensions or Disbarments:

3. I have not been suspended or disbarred from practice before any court or administrative body.

Pro Hac Order, Part 2 (b)(iii) -- No Application for Admission Denied:

4. I have not been denied on any application to practice before any court or administrative body.

Pro Hac Order, Part 2 (b)(iv) -- No Sanctions or Contempt Citations:

5. I have not been sanctioned or cited for contempt by any court or administrative body.

Pro Hac Order, Part 2 (b)(v) -- Compliance with Rules:

6. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R.

Pro Hac Order, Part 2 (b)(vi) -- Subject to Professional Responsibility Rules and Jurisdiction:

7. I will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.*, the USPTO Rules of Professional Conduct as mandated by Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013) (effective May 3, 2013), and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

Pro Hac Order, Part 2 (b)(vii) -- Other Proceedings Before the Office:

8. I have not previously applied to appear *pro hac vice* in any other proceedings before the Office.

Pro Hac Order, Part 2 (b)(viii) -- Familiarity with the Subject Matter:

9. I have familiarity with the subject matter at issue in the proceeding because I have over 5 years of experience litigating patent suits, have litigated patent validity and enforceability issues numerous times in federal court, and because I represent Petitioner in the related proceeding *Versata Software, Inc. and Versata Development Group, Inc. v. Callidus Software Inc.*, Case No. 1:12-cv-00931-SLR (D. Del.) concerning U.S. Patent No. 7,098,304.

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 were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Executed on September 17, 2013 at Palo Alto, California.

/Assad H. Rajani/

Assad H. Rajani