

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*

MOTION FOR MICHAEL S. TONKINSON TO APPEAR *PRO HAC VICE*

Pursuant to 37 C.F.R. § 42.10(c), Petitioner moves the Board to recognize Michael S. Tonkinson *pro hac vice* in connection with the Petition for Covered Business Method Review of U.S. Patent No. 7,098,304.

Petitioner provides the following information in support of this Motion, as required by the Board's "Order -- Authorizing Motion for *Pro Hac Vice* Admission -- 37 C.F.R. § 42.10" in Case IPR2013-00010 ("*Pro Hac* Order").

Pursuant to the *Pro Hac* Order, Part 2(a), good cause exists for Michael S. Tonkinson to appear *pro hac vice* in connection with the subject Petition for Covered Business Method Review because: (1) Mr. Tonkinson is an associate at the law firm Dickstein Shapiro LLP and a member in good standing of the Bar of the State of California; (2) Mr. Tonkinson is an experienced patent litigator with over 3 years of experience litigating patent suits; (3) Mr. Tonkinson is especially familiar with the subject matter at issue because he represents Petitioner as Defendant 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; and (4) Deborah Fishman, lead counsel for Petitioner with respect to the subject Petition for Covered Business Method review, is a partner at Dickstein Shapiro LLP and a registered practitioner before the United States Patent and Trademark Office (Reg. No. 48,621).

The information required by the *Pro Hac* Order, Part 2 (b)(i)-(viii), can be found in Declaration of Michael S. Tonkinson in support of this Motion (Exh. 1013).

The undersigned attorney welcomes a telephone call should the Office have any requests or questions. If there are any additional fees due in connection with the filing of this paper, please charge the required fees to our deposit account no. 04-1073.

Respectfully Submitted,

/Deborah E. Fishman/

Deborah E. Fishman (Reg. No. 48,621)

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Assad H. Rajani (*pro hac vice* pending)

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The undersigned certifies that the foregoing **MOTION FOR MICHAEL S. TONKINSON TO APPEAR *PRO HAC VICE*** and associated Exhibit No. 1013, were served on September 17, 2013, by the methods set forth below at the following addresses of record for the subject patent:

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Via Federal Express

/ Deborah E. Fishman /
Deborah E. Fishman
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