

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CALLIDUS SOFTWARE INC.  
Petitioner

v.

VERSATA DEVELOPMENT GROUP, INC.  
Patent Owner

and

VERSATA SOFTWARE, INC.  
Real Party-In-Interest

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Case CBM2014-00117  
Patent 7,098,304

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Filed: May 8, 2014

**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 IPR2013-00639, Paper No. 7 (Oct. 15, 2013) (“*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 4 years of experience litigating patent suits; (3) Mr. Tonkinson has litigated patent validity and enforceability issues numerous times in federal court; (4) Mr. Tonkinson is especially familiar with the subject matter at issue because he represents Petitioner in the related proceeding *Versata Software, Inc. and Versata Development Group, Inc. v. Callidus Software Inc.*, C.A. No. 1:12-cv-00931-SLR (D. Del.) concerning U.S. Patent No. 7,098,304; and (5) 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 the accompanying Declaration of Michael S. Tonkinson in support of this Motion (Exh. 1023).

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 /*

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The undersigned certifies that the foregoing **MOTION FOR MICHAEL S. TONKINSON TO APPEAR *PRO HAC VICE*** and associated Exhibit No. 1023, were served on May 8, 2014, by the methods set forth below at the following addresses of record for the subject patent:

Terrile, Cannatti, Chambers & Holland, LLP (P.O. Box 203518) 8911 North Capital of Texas Hwy. Suite 3150 Austin, TX 78759 kchambers@tcchlaw.com	<b>Via Email (kchambers@tcchlaw.com)</b>
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*/ Deborah E. Fishman /*

Deborah E. Fishman

Reg. No. 48,621