

Case No. IPR2013-00479 (MPT)
Patent No. 5,832,494

Paper No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC., LINKEDIN CORP., and TWITTER, INC.,
Petitioners

v.

SOFTWARE RIGHTS ARCHIVES, LLC
Patent Owner

Case No. IPR2013-00479 (MPT)
Patent No. 5,832,494

PETITIONERS' MOTION FOR *PRO HAC VICE* ADMISSION

UNDER 37 C.F.R. § 42.10(c)

Petitioners LinkedIn Corp. and Twitter, Inc. respectfully request that the Board recognize David J. Silbert, Esq., as counsel *pro hac vice* during this proceeding.

I. BACKGROUND

Petitioners' Motion for *Pro Hac Vice* Admission is being filed in compliance with and pursuant to the "Order—Authorizing Motion for *Pro Hac Vice* Admission" in Case No. IPR2013-00010 (MPT).

II. STATEMENT OF FACTS

As required by the Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Silbert *pro hac vice*.

Mr. Silbert is a highly experienced patent litigation attorney, who has been involved in numerous patent litigations before the federal district courts, the U.S. Court of Appeals for the Federal Circuit, and the U.S. International Trade Commission. He has particularly deep experience litigating complex software-related patents, such as the patents at issue in the instant Petition. Mr. Silbert's biography is attached hereto as **Exhibit A**.

Mr. Silbert has substantial experience with U.S. Patent No. 5,832,494. Mr. Silbert drafted and/or revised the petitions already filed in this proceeding. Moreover, Mr. Silbert represents LinkedIn Corp. and Twitter, Inc. in the co-pending litigation between the parties, *Software Rights Archive LLC v. Facebook*,

Inc., No. 5:12-cv-03970 RMW (N.D. Cal. 2012); *Software Rights Archive LLC v. LinkedIn Corp.*, No. 5:12-cv-03971 RMW (N.D. Cal. 2012); and *Software Rights Archive LLC v. Twitter, Inc.*, No. 5:12-cv-03972 RMW (N.D. Cal. 2012). As a result, Mr. Silbert has established familiarity with the subject matter at issue in this proceeding, including extensive knowledge of the printed prior art submitted in the instant Petition, the district court's prior claim construction order, and related matters.

Counsel for Patent Owner does not oppose Mr. Silbert appearing *pro hac vice* during this proceeding.

Therefore, Petitioners respectfully submit that there is good cause for the Board to recognize Mr. Silbert as counsel *pro hac vice* during this proceeding.

III. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Petitioners' Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of David J. Silbert as required by the Order.

DATED: October 2, 2013

Respectfully submitted,

/Heidi Keefe/

Heidi Keefe

Registration No. 40,673

Counsel for Petitioners

Cooley LLP

ATTN: Patent Group

1299 Pennsylvania Ave., NW, Suite 700

Washington, DC 20004

Tel: (650) 843-5001

Fax: (650) 849-7400

EXHIBIT A

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