UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

SOFTWARE RIGHTS ARCHIVES, LLC
Patent Owner

_____

Case No. IPR2013-00480 (SM)
Patent No. 5,832,494

_____

PETITIONER'S MOTION FOR _PRO HAC VICE_ ADMISSION
UNDER 37 C.F.R. § 42.10(c)

Petitioner Facebook, Inc. respectfully requests that the Board recognize Mark R. Weinstein, Esq., as counsel *pro hac vice* during this proceeding.

I. BACKGROUND

Petitioner's 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) ["the Order"].

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. Weinstein *pro hac vice*.

Mr. Weinstein is an experienced litigation attorney and has been involved in numerous complex litigations in state and federal courts. Mr. Weinstein's biography is attached hereto as **Exhibit A**.

Mr. Weinstein has reviewed U.S. Patent No. 5,832,494, and the petition already filed in this proceeding. Further, Mr. Weinstein is counsel of record 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); *Software Rights Archive LLC v. Twitter, Inc.*, No. 5:12-cv-03972 RMW (N.D. Cal. 2012); and, as such, is familiar with the subject matter at issue in this proceeding.

Therefore, Petitioner respectfully submits that there is good cause for the

Board to recognize Mr. Weinstein as counsel *pro hac vice* during this proceeding.

III. AFFIDAVIT OR DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

Petitioner's Motion for *Pro Hac Vice* Admission is accompanied by an

Affidavit of Mark R. Weinstein as required by the Order.

Respectfully submitted,

DATED: November 13, 2013

/Heidi Keefe/
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EXHIBIT A

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PRACTICES:

Intellectual Property
Intellectual Property Litigation
Trademark, Copyright & Advertising

Mark Weinstein is a partner in the Cooley Litigation department and member of the Intellectual Property practice group. He joined the Firm in 2009 and is resident in the Palo Alto office.

Mr. Weinstein's practice focuses on patent and other complex technology-related disputes. He has handled a number of high-stakes litigations throughout the United States involving a variety of technologies, including computer software and hardware, Internet applications, electronic transactions, e-commerce, computer networking, entertainment software, and medical devices.

Representative cases include:

Patents

- **Facebook, Inc.** Mark has represented and is representing Facebook in more than a dozen patent infringement actions, including *Yahoo! Inc v. Facebook, Inc.* (N.D. Cal.), *Leader Technologies, Inc. v. Facebook, Inc.* (D. Del.), *Tele-Publishing, Inc. v. Facebook, Inc.* (D. Mass.), *Mekiki Co., Ltd. v. Facebook, Inc.* (D. Del.), *Cross-Atlantic Capital Partners, Inc. v. Facebook, Inc.* (E.D. Pa.), *Unified Messaging Solutions LLC v. Facebook, Inc.* (E.D. Tex.), *Walker Digital, LLC v. Facebook, Inc.* (D. Del.), and several others.

- **HTC Corporation and HTC America.** Mark has defended and is currently defending HTC in several patent litigations including *HTC v. Technology Properties Ltd.* (N.D. Cal.), *Digitude Innovations LLC v. HTC* (D. Del. and U.S. ITC), *ADC Technology, Inc. v. HTC et al.* (N.D. Ill.), *Microunity Systems Eng'g v. HTC et al.* (E.D. Tex.) and *BandSpeed, Inc. v. HTC Corp. et al.* (W.D. Tex), *SP Technologies, Ltd. v. HTC et al.* (N.D. Ill.), *Implicit Networks, Inc. v. HTC* (N.D. Cal.), and several others.

- **LinkedIn Corporation.** Mark is representing LinkedIn in *Jaipuria v. LinkedIn Corp. et al.* (E.D. Tex.) and *Cathas Advanced Technologies LLC v. LinkedIn Corp.* (D. Del.)

- **EMC Corporation.** In *Hewlett-Packard Company et al. v. EMC Corporation* (N.D. Cal.), Mr. Weinstein represented EMC in a patent infringement suit involving thirteen patents relating to mass data storage systems, servers and printers. HP initiated the lawsuit by suing EMC for alleged infringement of seven patents. EMC counterclaimed against HP with six of its own patents. Following claim construction proceedings and motion practice, the case settled with HP agreeing to pay EMC more than $325 million, one of the largest patent settlements on record.

DOCKET ALARM

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