

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ServiceNow, Inc.,
Petitioner

v.

BMC Software, Inc.,
Patent Owner

Case IPR2015-01176
Patent 5,978,594

**PATENT OWNER'S MANDATORY NOTICES PURSUANT TO
37 C.F.R. §42.8(a)(2)**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner, BMC Software, Inc., hereby files its Mandatory Notices for the above-captioned proceeding. This notice is being timely filed within 21 days of service of the May 7, 2015 petition.

I. 37 C.F.R § 42.8(b)(1) – REAL PARTY-IN-INTEREST

The patent owner and real party-in-interest is BMC Software, Inc.

II. 37 C.F.R § 42.8(b)(2) – RELATED MATTERS

Patent Owner has asserted U.S. Patent No. 5,978,594 Patent against Petitioner in a lawsuit styled *BMC Software, Inc. v. ServiceNow, Inc.*, 2:14-cv-00903, pending in the United States District Court for the Eastern District of Texas (filed September 23, 2014).

III. 37 C.F.R § 42.8(b)(3) – LEAD AND BACKUP COUNSEL

The lead counsel for BMC Software, Inc., is:

Robert A. Cote, Reg. No. 34,570
rcote@mckoolsmith.com
McKOOL SMITH, P.C.
One Bryan Park, 47th Floor
New York, NY 10036
Tel.: 212-402-9400
Fax: 212-402-9444

The backup counsel for BMC Software, Inc., are:

Pierre Hubert, Reg. No. 45,826
phubert@mckoolsmith.com
McKOOL SMITH, P.C.
300 W. 6th Street, Suite 1700
Austin, TX 78724

Tel.: 512-692-8700
Fax: 512-692-8744

Robert Auchter, Reg. No. 38,069
rauchter@mckoolsmith.com
McKOOL SMITH, P.C.
1999 K Street, N.W., Suite 600
Washington, D.C. 20006
Tel.: 202-370-8300
Fax: 202-370-8344

Kevin Schubert, Reg. No. 59,232
kschubert@mckoolsmith.com
McKOOL SMITH, P.C.
One Bryan Park, 47th Floor
New York, NY 10036
Tel.: 212-402-9400
Fax: 212-402-9444

IV. 37 C.F.R § 42.8(b)(4) – SERVICE INFORMATION

Please address all correspondence to the lead and backup counsel as shown above. Patent Owner consents to electronic service by e-mail at 02184-00002_IPR594@mckoolsmith.com.

Respectfully submitted,
McKOOL SMITH, P.C.

/s/ Robert A. Cote

Robert A. Cote
Registration No. 34,570
Lead Counsel for Patent Owner

Date: May 28, 2015

McKOOL SMITH, P.C.

300 W. 6th Street, Suite 1700
Austin, TX 78724
Tel.: 512-692-8700
Fax: 512-692-8744

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that the foregoing “Patent Owner’s Mandatory Notices Pursuant to C.F.R. §42.8(a)(2)” and accompanying Power of Attorney were served electronically via e-mail on May 28, 2015, in their entirety on the following counsel of record for Petitioners:

Heidi L. Keefe, Reg. No. 40,673
hkeefe@cooley.com
zpatdcdocketing@cooley.com
Phillip E. Morton, Reg. No. 57,835
pmorton@cooley.com
Andrew C. Mace, Reg. No. 63,342
amace@cooley.com
COOLEY LLP
1299 Pennsylvania Ave., NW, Suite 700
Washington, DC 20004
Tel: 650-843-5001
Fax: 650-849-7400

/s/ Robert A. Cote

Robert A. Cote
Registration No. 34,570
Lead Counsel for Patent Owner