

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SERVICENOW, INC.,
Petitioner,

v.

BMC SOFTWARE, INC.,
Patent Owner.

Case CBM2015-00107 (Patent 7,062,683)
Case IPR2015-01176 (Patent 5,978,594)
Case IPR2015-01211 (Patent 7,617,073)¹

Before JUSTIN T. ARBES, BRIAN P. MURPHY, JENNIFER MEYER
CHAGNON, TIMOTHY J. GOODSON, and JOHN A. HUDALLA,
Administrative Patent Judges.

HUDALLA, *Administrative Patent Judge.*

DECISION

Petitioner's Motions for *Pro Hac Vice* Admission of
Mark R. Weinstein
37 C.F.R. § 42.10

¹ This Decision addresses an issue pertaining to all three cases. Therefore, we exercise our discretion to issue a single Decision to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

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Petitioner filed motions requesting *pro hac vice* admission of Mark R. Weinstein in each of the instant proceedings, and Petitioner submitted biographic information for and declarations from Mr. Weinstein in support of the motions. *See* Case CBM2015-00107, Paper 7, Exs. 1008, 1009; Case IPR2015-01176, Paper 6, Exs. 1012, 1013; Case IPR2015-01211, Paper 7, Exs. 1008, 1009. Patent Owner did not file an opposition to any of the motions. Based on the facts set forth in the motions, biographic information, and declarations, we conclude that Petitioner has established good cause for Mr. Weinstein's *pro hac vice* admission. *See* 37 C.F.R. § 42.10(c); *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639, slip op. at 3–4 (PTAB Oct. 15, 2013) (Paper 7) (setting forth the requirements for *pro hac vice* admission). Petitioner's lead counsel, Heidi L. Keefe, is a registered practitioner.

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's motions for *pro hac vice* admission of Mark R. Weinstein are *granted*, and Mr. Weinstein is authorized to represent Petitioner as back-up counsel in the instant proceedings;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner as lead counsel in the instant proceedings;

FURTHER ORDERED that Mr. Weinstein is to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

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FURTHER ORDERED that Mr. Weinstein is subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

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PETITIONER:

Heidi L. Keefe
Phillip E. Morton
Andrew C. Mace
COOLEY LLP
hkeefe@cooley.com
pmorton@cooley.com
amace@cooley.com
zpatdcdocketing@cooley.com

PATENT OWNER:

Robert A. Cote
Pierre Hubert
Robert Auchter
Kevin Schubert
Phillip Lee
McKOOL SMITH, P.C.
rcote@mckoolsmith.com
phubert@mckoolsmith.com
rauchter@mckoolsmith.com
kschubert@mckoolsmith.com
plee@mckoolsmith.com