

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ServiceNow, Inc.,
Petitioner

v.

BMC Software, Inc.,
Patent Owner

Case IPR2015-01211
Patent 7,617,073

**PATENT OWNER'S UPDATED 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

Pursuant to 37 C.F.R. § 42.8(a)(3), BMC Software, Inc. (Patent Owner) provides the following updated disclosure which modifies the information set forth in the prior Mandatory Notices previously filed under 37 C.F.R. §42.8(a)(2). This updated disclosure reflects a change made to the backup counsel. Previously, backup counsel was identified as Pierre Hubert, Robert Auchter, and Kevin Schubert. Pursuant to this updated disclosure, Patent Owner additionally identifies backup counsel Phillip Lee, Registration No. 60,923. The disclosures otherwise remain unchanged.

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. 7,617,073 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

Phillip Lee, Reg. No. 60,923
plee@mckoolsmith.com
McKOOL SMITH, P.C.
865 South Figueroa Street, Suite 2900
Los Angeles, CA 90017
Tel.: 213-694-1153
Fax: 213-694-1234

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_IPR073@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: June 9, 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 Updated Mandatory Notices Pursuant to C.F.R. §42.8(a)(2)” was served electronically via e-mail on June 9, 2015, in its 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