

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner

v.

BRADIUM TECHNOLOGIES LLC,
Patent Owner

Case IPR2016-00449
U.S. Patent No. 8,924,506 B2

**MOTION FOR *PRO HAC VICE* ADMISSION
OF MICHAEL N. ZACHARY**

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner respectfully requests the *pro hac vice* admission of Michael N. Zachary as backup counsel for Patent Owner in the current proceedings. A declaration made by Mr. Zachary in support of this motion is attached hereto as Exhibit A.

1. Statement of Facts

1. Mr. Zachary is a litigation attorney experienced in patent cases, and is admitted to practice law in California, Oregon, and Washington State, as well as the following Federal Courts:

U.S. District Court for the Central District of California;

U.S. District Court for the Eastern District of California;

U.S. District Court for the Northern District of California;

U.S. District Court for the Southern District of California;

U.S. District Court for the District of Colorado;

U.S. District Court for the District of Oregon;

U.S. District Court for the Eastern District of Texas;

U.S. District Court for the Eastern District of Washington;

U.S. District Court for the Western District of Washington.

2. Mr. Zachary has not had any application denied for admission to practice, nor has he been sanctioned, cited for contempt, suspended or disbarred from practice, before any court or administrative body.

3. Mr. Zachary has an established familiarity with the subject matter at issue in this proceeding, having represented Patent Owner in *inter partes* review proceedings (*Microsoft Corp. v. Bradium Techs. LLC*, Cases IPR2015-01432, IPR2015-01434 and IPR2015-01435) and a Delaware District court proceeding against Petitioner involving the same technology (*Bradium Techs. LLC v. Microsoft Corp.*, 1:15-cv-00031-RGA).

4. Mr. Zachary has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R.

2. Conclusions

For the reasons stated above, Patent Owner respectfully submits that there is good cause for the Board to recognize Michael N. Zachary *pro hac vice* during the proceeding.

Dated: February 1, 2016

/Michelle Carniaux /
KENYON & KENYON LLP
One Broadway
New York, NY 10004-1007
Tel.: (212) 425-7200

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing “MOTION FOR *PRO HAC VICE* ADMISSION OF MICHAEL N. ZACHARY” was served via electronic mail on February 1, 2016, on the Petitioner at the correspondence address of the Petitioner as follows:

Bing Ai
Matthew Bernstein
Vinay Sathe
Patrick McKeever
PerkinsServiceBradiumIPR@perkinscoie.com

/Michelle Carniaux/
KENYON & KENYON LLP
One Broadway
New York, NY 10004-1007
Tel.: (212) 425-7200

EXHIBIT A

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.