

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**World Programming Limited**  
Petitioner

v.

**SAS Institute Inc.**  
Patent Owner

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Case IPR2019-01458  
Patent 7,170,519

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**PATENT OWNER SAS INSTITUTE INC.'S UNOPPOSED MOTION FOR  
WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

## **I. 37 C.F.R. § 42.10 – STATEMENT OF REQUESTED RELIEF**

Pursuant to 37 C.F.R. § 42.10, Patent Owner respectfully requests that the Board authorize withdrawal of David B. Cochran as lead counsel, and Joseph M. Sauer and Joshua R. Nightingale as backup counsel, in this matter.

## **II. STATEMENT SHOWING GOOD CAUSE FOR THE BOARD TO AUTHORIZE WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

On August 23, 2019, Patent Owner submitted its Power of Attorney for Petition of Inter Partes Review, appointing David B. Cochran as lead counsel, and Joseph M. Sauer and Joshua R. Nightingale as backup counsel, in the above-captioned *inter partes* review. (Paper 5). For good cause, Patent Owner requests that the current designated counsel be deemed withdrawn from the present proceeding, and new counsel, Brenton R. Babcock as lead counsel, and Joshua P. Davis and Tony T. Chen as backup counsel, be designated lead counsel and back-up counsel, respectively, to represent Patent Owner in this proceeding.

Patent Owner's counsel meet the requirements of 37 C.F.R. § 42.10(c) because lead counsel and backup counsel are all registered USPTO practitioners.

In identifying and designating new counsel who are ready and able to take over the representation, reasonable steps have been taken to “avoid foreseeable prejudice to the rights of the client, including giving due notice to his or her client, [and] allowing time for employment of another practitioner.” *See* 37 C.F.R.

§ 10.40(a). Further, Patent Owner believes that granting this motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. *See* 35 U.S.C. § 316(b).

### III. PETITIONER DOES NOT OBJECT TO THE SUBSTITUTION

Petitioner has indicated that it does not oppose the requested withdrawal and substitution of counsel for Patent Owner.

### IV. CONCLUSION

Patent Owner respectfully requests that the Board grant its motion to authorize withdrawal of counsel and permit substitution of counsel. Upon grant of this motion, new counsel for Patent Owner will promptly file Patent Owner's Amended Mandatory Notices and Substitute Power of Attorney.

Respectfully submitted,

Dated: 10/25/2019

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*Counsel for Patent Owner*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing PATENT OWNER SAS INSTITUTE INC.'S UNOPPOSED MOTION FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL was served on 10/25/2019 via electronic mail, at the following:

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