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Paper_____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION and HP Inc.
Petitioner

v.

SYNKLOUD TECHNOLOGIES, LLC,
Patent Owner

Case No. IPR 2020-00316

Patent No. 9,098,526

MOTION TO WITHDRAW FROM REPRESENTATION
37 C.F.R. §11.116

Responsive to the communication from the Patent Trial and Appeal Board dated August 6, 2020, and pursuant to the provisions of Rule 116 of Chapter 11 of Title 37 of the Code of Federal Regulations, Steven B. Kelber, current designated counsel for Patent Owner Syncloud Technologies, LLC seeks the Board's permission to withdraw from representation in this matter. As grounds for this request, and consistent with Rule 116(a), Movant Steven Kelber has been discharged from representation in this proceeding.

As provided for in Rule 116(b), Movant's withdrawal in this matter can be accomplished without material adverse effect on the interests of the client. This case is part of a multiple case litigation matter that has given rise to nine IPRs to date. Movant's preexisting obligations, coupled with growing disagreements with the client and litigation counsel over how best to present the evidence in support of Patent Owner's position, and the retention of experts consistent therewith, made it clear that alternate counsel that might better represent the Patent Owner would be of value.

No action was taken until alternate experienced counsel, Dr. Greg Gonsalves, was located who had the time and interest to undertake the representation required was secured. Movant Steven Kelber spoke with Dr. Gonsalves repeatedly, and confirmed that in fact Dr. Gonsalves was experienced,

able and prepared to represent Patent Owner's interests. A power of attorney and Amended Mandatory Notice designating Dr. Gonsalves as lead counsel has already been filed.

In this matter, Patent Owner's Response is not due until September 21, 2020. The evidentiary basis for that Response has been prepared and an appropriate framework for the response is similarly prepared. There are no outstanding discovery disputes, no pending depositions or other actions contemplated at this time. All files and records in this matter have been maintained electronically, and made available to Dr. Gonsalves, but as noted Movant has discussed the matter with Dr. Gonsalves, and will provide any additional information consistent with the obligations provided for. Movant holds no property, resources or funds from or on behalf of Patent Owner. Accordingly, Movant submits that the requirements of 37 C.F.R. §11.116(d) have been fully satisfied.

Should this Board identify other actions to be taken or to be refrained from taking in this matter, Movant Steven B. Kelber will undertake those actions to the best of his ability.

Respectfully submitted,

Date: August 7, 2020

/s/ Steven B. Kelber
Steven B. Kelber
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