IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION AND AFFIRMED NETWORKS, INC.,
Petitioners,

v.

LEMKO CORPORATION,
Patent Owner.

Case No. IPR2023-00531
U.S. Patent No. 7,855,988

PETITIONERS' UNOPPOSED MOTION FOR PRO HAC VICE ADMISSION OF MICHAEL R. RUECKHEIM UNDER 37 C.F.R. § 42.10

Pursuant to 37 C.F.R. § 42.10 and the authorization provided by the United States Patent and Trademark Office's Patent Trial and Appeal Board ("Board") in Paper Number 6 (dated March 31, 2023 ("the Notice")), Petitioners Microsoft Corporation and Affirmed Networks, Inc. ("Petitioners"), submit this unopposed motion for Michael R. Rueckheim to appear pro hac vice. Petitioners respectfully request that the Board recognize Mr. Rueckheim as counsel *pro hac vice* during this proceeding and demonstrate good cause for doing so as shown below.

STATEMENT OF FACTS

A. Michael R. Rueckheim

Pursuant to the Notice, the following statement of facts shows that good cause exists for the Board to recognize Mr. Rueckheim *pro hac vice*.

Lead counsel for this proceeding, Robert N. Kang, is a registered practitioner (Reg. No. 59,609).

Mr. Rueckheim is a litigation attorney who has been involved in multiple patent infringement cases in federal district courts. Ex. 1013 ¶ 8. He has experience in various aspects of patent infringement matters and has participated in multiple patent cases in federal courts, including trials and claim construction hearings. *Id.* Mr. Rueckheim is a member in good standing of the Bars of the State of Texas, California and New York and is admitted to practice before the Federal Circuit Court of Appeal, Fifth Circuit Court of Appeal, U.S. District Court for the Western District

of Texas, U.S. District Court for the Eastern District of Texas, U.S. District Court for the Southern District of Texas, U.S. District Court for the Northern District of Texas, U.S. District Court for the Northern District of California, U.S. District Court for the Southern District of New York, U.S. District Court for the Northern District of Illinois, and U.S. District Court for the Eastern District of Wisconsin. *Id.* ¶ 1.

Mr. Rueckheim has not been suspended or disbarred from practice, has never had any application for admission to practice denied, and has never had any sanctions or contempt citations imposed against him. *Id.* ¶¶ 2-4.

Mr. Rueckheim has obtained substantial familiarity with the involved patent, the prior art, and the various issues raised in this proceeding. *Id.* ¶ 8. Moreover, Mr. Rueckheim has reviewed the involved patent, the Petition, the prior art, and all other cited materials. *Id*. Given his extensive patent litigation experience and his familiarity with the instant Petition, the cited materials, and the patented technology, Mr. Rueckheim has established familiarity with the subject matter at issue in this proceeding. *Id*.

Mr. Rueckheim has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in part 42 of the C.F.R., and he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq., and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). Id. ¶¶ 5-6.

Mr. Rueckheim has appeared *pro hac vice* in the last three years before the Board in Case Nos. IPR2020-00859, IPR2020-01081, IPR2020-01383, IPR2021-00343, IPR2021-00344, IPR2021-00345, IPR2021-00940, IPR2021-00941, IPR2021-00942, IPR2022-00418, IPR2022-00236, IPR2022-00744, and IPR2022-00745, IPR2023-00405, IPR2023-00406, IPR2023-00573, and IPR2023-00574. *Id.* ¶ 7.

Given Mr. Rueckheim's familiarity with the subject matter at issue in this proceeding, Petitioners respectfully submit that it has shown good cause for the Board to recognize Mr. Rueckheim as counsel *pro hac vice* during this proceeding.

This Motion is accompanied by the Declaration of Mr. Rueckheim. Ex. 1013.

Dated: February 26, 2024

Respectfully submitted,

/ Robert N. Kang /
Robert N. Kang
Lead Counsel
Winston & Strawn LLP
101 California Street
San Francisco, CA 94111
T: 415.591.1000, F: 415.591.1400
rkang@winston.com
USPTO Reg. No. 59,609

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R § 42.6, that on February 26, 2024, a complete copy of **PETITIONERS' UNOPPOSED MOTION FOR PRO HAC VICE ADMISSION OF MICHAEL R. RUECKHEIM UNDER 37 C.F.R. § 42.10** was served upon the following, by Electronic Mail:

Lead Counsel:
James Hannah
USPTO Reg. No. 56,369
Email: jhannah@kramerlevin.com

Backup Counsel:
Aaron M. Frankel
USPTO Reg. No. 52,913
Email: afrankel@kramerlevin.com
Jeffrey H. Price
USPTO Reg. No. 69,141
Email: jprice@kramerlevin.com
Jenna Fuller
USPTO Reg. No. 74,212
Email: jfuller@kramerlevin.com
Jeffrey Eng
USPTO Reg. No. 63,189
Email: jeng@kramerlevin.com

/ Robert N. Kang /
Robert N. Kang
Lead Counsel
Winston & Strawn LLP
101 California Street
San Francisco, CA 94111
T: 415.591.1000, F: 415.591.1400
rkang@winston.com
USPTO Reg. No. 59,609

Lead Counsel for Petitioners