

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG BIOEPIS CO., LTD.,
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2023-00442
Patent 10,130,681 B2

Before JOHN G. NEW, SUSAN L. C. MITCHELL, and
ROBERT A. POLLOCK, *Administrative Patent Judges*.

NEW, *Administrative Patent Judge*.

ORDER
Conditionally Granting Petitioner's Motion for
Admission *Pro Hac Vice* of Sarah M. Cork
37 C.F.R. § 42.10(c)

Petitioner filed a Motion for Admission *pro hac vice* of Sarah M. Cork. Paper 33 (“Motion”). Petitioner submitted a Declaration of Sarah M. Cork in support of the Motion. Ex. 1067. Petitioner attests that Patent Owner does not oppose the Motion. Motion 1. For the reasons provided below, Petitioner’s Motion is *conditionally granted*.

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause, subject to the condition that lead counsel be a registered practitioner. In authorizing a motion for admission *pro hac vice*, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in the proceeding. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”).

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude that Ms. Cork has sufficient legal and technical qualifications to represent Petitioner in this proceeding, has demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and meets all other requirements for admission *pro hac vice*. *See* Ex. 1067. Accordingly, Petitioner has established good cause for admission *pro hac vice* of Ms. Cork. Ms. Cork will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Ms. Cork. Therefore, Petitioner’s Motion is *conditionally granted*, and will become effective after Petitioner

files a Power of Attorney for Ms. Cork within ten (10) business days following entry of this order.

Petitioner also has not filed an updated Mandatory Notice identifying Ms. Cork as back-up counsel. Petitioner is therefore directed to file an updated Mandatory Notice identifying Ms. Cork as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

Accordingly, it is

ORDERED that Petitioner's Motion for admission *pro hac vice* of Sarah M. Cork is *conditionally granted*, provided that within ten (10) business days of the date of this order, Petitioner submits a Power of Attorney for Ms. Cork in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Petitioner must file an updated Mandatory Notice identifying Ms. Cork as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Petitioner continue to have a registered practitioner represent it as lead counsel for this proceeding;

FURTHER ORDERED that Ms. Cork is authorized to act as back-up counsel only in this proceeding;

FURTHER ORDERED that Ms. Cork comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019))¹ and the Board's Rules of Practice for Trials as set forth in Part 42 of Title 37, Code of Federal Regulations; and

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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FURTHER ORDERED that Ms. Cork is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

PETITIONER:

Raymond Nimrod
Matthew Traupman
Landon Smith
QUINN EMANUEL URQUHART & SULLIVAN, LLP
raynimrod@quinnemanuel.com
matthewtraupman@quinnemanuel.com
landonsmith@quinnemanuel.com

PATENT OWNER:

Deborah Fishman
David Caine
Alice Ho
David Denuyl
ARNOLD & PORTER KAYE SCHOLER, LLP
deborah.fishman@arnoldporter.com
david.caine@arnoldporter.com
alice.ho@arnoldporter.com
david.denuyl@arnoldporter.com