

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CELLTRION, INC.,
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2023-00462
Patent 10,464,992 B2

Before JOHN G. NEW, SUSAN L. C. MITCHELL, and JAMIE T. WISZ,
Administrative Patent Judges.

WISZ, *Administrative Patent Judge.*

ORDER

Granting Patent Owner's Motions for Admission
Pro Hac Vice of Daralyn J. Durie and Kira A. Davis
37 C.F.R. § 42.10

Patent Owner filed motions for admission *pro hac vice* of Daralyn J. Durie (Paper 18) and Kira A. Davis (Paper 19) in the above-identified proceeding (collectively, “Motions”). The Motions are supported, respectively, by Declarations of Ms. Durie (Ex. 2044) and Ms. Davis (Ex. 2045) (collectively, “Declarations”). Petitioner has not opposed the Motions.

Pursuant to 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 its notice authorizing motions for *pro hac vice* admission, the Board requires 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 this proceeding. *See* Paper 3, 2 (citing *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 Motions and the accompanying Declarations, we conclude that Ms. Durie and Ms. Davis each have sufficient legal and technical qualifications to represent Patent Owner in this proceeding and that Ms. Durie and Ms. Davis have each demonstrated sufficient familiarity with the subject matter of this proceeding. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Ms. Durie and Ms. Davis. Ms. Durie and Ms. Davis will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Patent Owner filed a Power of Attorney including Ms. Durie and Ms. Davis in accordance with 37 C.F.R. § 42.10(b). Paper 5.

Patent Owner also filed Mandatory Notices identifying Ms. Durie and Ms. Davis as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 4, 4.

Accordingly, it is

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Daralyn J. Durie and Kira A. Davis are *granted*;

FURTHER ORDERED that Ms. Durie and Ms. Davis are authorized to represent Patent Owner only as back-up counsel in the above-identified proceeding;

FURTHER ORDERED that Ms. Durie and Ms. Davis are to comply with the Office Patent Trial Practice Guide¹ (84 Fed. Reg. 64,280 (Nov. 21, 2019)) and with the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;

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

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for the above-identified proceeding.

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

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