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Paper: 17
Date: November 9, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOPEWELL PHARMA VENTURES, INC.,
Petitioner,
v.

MERCK SERONO SA,
Patent Owner.

IPR2023-00480 (Patent 9,426,794 B2)
IPR2023-00481 (Patent 8,377,903 B2)[1]

Before ROBERT A. POLLOCK and TIMOTHY G. MAJORS,
Administrative Patent Judges.

MAJORS, *Administrative Patent Judge*.

DECISION
Granting Patent Owner's Motions for Admission *Pro Hac Vice* of
David B. Bassett and Vinita Ferrera
37 C.F.R. § 42.10

[1] This Order addresses issues that are the same in all above-captioned proceedings. We exercise our discretion to issue one Order to be filed in each proceeding. The parties are not authorized to use this style heading in subsequent papers.

On November 6, 2023, Patent Owner filed motions for admission *pro hac vice* of David B. Bassett and Vinita Ferrera in this proceeding. Papers 14, 13.[2] The Motions rely on Declarations from Mr. Bassett and Ms. Ferrera. Ex. 2002, 2003. Powers of Attorney and Updated Mandatory Notices listing each were filed. Papers 4, 15. Patent Owner indicates Petitioner does not oppose the motions. Paper 14, 1; Paper 13, 1.

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 7, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB 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 Mr. Bassett and Ms. Ferrera each has sufficient legal and technical qualifications to represent Patent Owner in these proceedings, that they have demonstrated sufficient familiarity with the subject matter of these proceedings, that they meet all other requirements for admission *pro hac vice*, and that Patent Owner's intent to be represented by counsel with litigation experience is warranted. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Bassett

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[2] We refer to documents filed in IPR2023-00480. Similar documents were filed in IPR2023-00481.

and Ms. Ferrera, who will be permitted to serve only as back-up counsel. *See* 37 C.F.R. § 42.10(c).

ORDER

It is:

ORDERED that Patent Owner's motion for *pro hac vice* admission of David B. Bassett is *granted*, and Mr. Bassett is authorized to represent Patent Owner only as back-up counsel in these proceedings;

ORDERED that Patent Owner's motion for *pro hac vice* admission of Vinita Ferrera is *granted*, and Ms. Ferrera is authorized to represent Patent Owner only as back-up counsel in these proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in each proceeding;

FURTHER ORDERED that Mr. Bassett and Ms. Ferrera are to comply with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide (November 2019), *available at* https://www.uspto.gov/TrialPracticeGuideConsolidated, and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;

FURTHER ORDERED that Mr. Bassett and Ms. Ferrera are subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO's Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

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