

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOVARTIS GENE THERAPIES, INC. and
NOVARTIS PHARMACEUTICALS CORPORATION,
Petitioner,

v.

GENZYME CORPORATION,
Patent Owner.

IPR2023-00608 and IPR2023-00609 (Patent 9,051,542 B2)¹

Before JEFFREY N. FREDMAN, SHERIDAN K. SNEDDEN, and
JAMES A. TARTAL, *Administrative Patent Judges*.

SNEDDEN, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Unopposed Motion for
Admission *Pro Hac Vice* of Katherine A. Helm
37 C.F.R. § 42.10

¹ This Order addresses issues that are the same in each identified case. We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading in subsequent papers.

On May 26, 2023, Patent Owner filed an Unopposed Motion for *Pro Hac Vice* Admission of Katherine A. Helm in each of the above-identified proceedings. Paper 12 (“Motion”).² The Motion in each case is supported by a Declaration of Ms. Helm. Ex. 2001 (“Declaration”). Patent Owner represents that Petitioner does not oppose the Motion. Motion 1.

In accordance with 37 C.F.R. § 42.10(c), we 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. The representative Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. See Paper 5, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

Based on the facts set forth in the Motion and the accompanying Declaration, we determine that all requirements for admission *pro hac vice* have been met and there is good cause to admit Ms. Helm *pro hac vice*.

We note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) and an updated Mandatory Notices in accordance with 37 C.F.R. § 42.8(b)(3) identifying Ms. Helm as back-up attorney have been submitted.

Accordingly, it is

ORDERED that Patent Owner’s Unopposed Motion for *Pro Hac Vice* Admission of Katherine A. Helm in each of the above-captioned proceedings is *granted*;

² For purposes of expediency, we cite to the Motion and Declaration filed in IPR2023-00608, unless otherwise indicated. Patent Owner filed a similar Motion and Declaration in IPR2023-00609.

FURTHER ORDERED that Patent Owner continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings, but that Ms. Helm is authorized to act as back-up counsel;

FURTHER ORDERED that Ms. Helm comply with the Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019))³ and the Board's Rules of Practice for Trials as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Ms. Helm 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.

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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