

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MOM ENTERPRISES, LLC,  
Petitioner,

v.

ELAINE AND REINHOLD W. VIETH,  
Petitioners.

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Case IPR2023-00726  
Patent 9,066,958

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**PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE*  
ADMISSION OF DR. CASEY M. KRANING  
UNDER 37 C.F.R. § 42.10(c)**

### PETITIONER'S EXHIBIT LIST

| <b>Exhibit</b> | <b>Description</b>                                                                                                                                                                                                  |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MOM-1001       | U.S. Patent No. 9,066,958 (the “958 Patent”)                                                                                                                                                                        |
| MOM-1002       | U.S. Patent No. 9,066,958 File History                                                                                                                                                                              |
| MOM-1003       | Complaint, Ddrops Company, Reinhold Vieth, and Elaine Vieth v. MOM Enterprises, LLC, d/b/a Mommy’s Bliss, 1:22-cv-00332-GBW, District of Delaware                                                                   |
| MOM-1004       | Declaration and Curriculum Vitae of Dr. Robert Williams                                                                                                                                                             |
| MOM-1005       | Declaration and Curriculum Vitae of Librarian June Munford                                                                                                                                                          |
| MOM-1006       | Section 15.9 of Wochenbettbetreuung in der Klinik und zu Hause, Hippokrates Verlag by Ulrike Harder (2003) (“Harder”)                                                                                               |
| MOM-1007       | Translation of Harder by Amy Tinworth (“Harder Tr.”)                                                                                                                                                                |
| MOM-1008       | Aktuelle Therapie: Rachitisprophylaxe beim Säugling by H. Wolf, Volume 95/no.9 Deutsche Medizinische Wochenschrift at 1530 (1970) (“Wolf”)                                                                          |
| MOM-1009       | Translation of Wolf by Simon Chun Hsieh (“Wolf Tr.”)                                                                                                                                                                |
| MOM-1010       | Excerpts from European Pharmacopoeia Supplement 4.3 (2003) (“European Pharmacopoeia Supplement 4.3”)                                                                                                                |
| MOM-1011       | Suckling- and Sucrose-Induced Analgesia in Human Newborns by Elliott M. Blass & Lisa B. Watt, 83 Pain 611, (1999) (“Blass”)                                                                                         |
| MOM-1012       | Prevention of Rickets and Vitamin D Deficiency: New Guideline for Vitamin D Intake” by Lawrence M. Gartner, Volume 111/no. 4 of Pediatrics at 908 (2003) (“Gartner”)                                                |
| MOM-1013       | Introduction of Oral Vitamin D Supplementation and the Rise of the Allergy Pandemic by Matthias Wjst, Volume 5/no. 8 of Allergy, Asthma & Clinical Immunology (2009) (“Wjst”)                                       |
| MOM-1014       | The Case Against Ergocalciferol (Vitamin D2) as a Vitamin Supplement” by Reinhold Vieth, Volume 84/no.4 of The American Journal of Clinical Nutrition (2006) (“Vieth”)                                              |
| MOM-1015       | Effect of Vitamin D Replacement on Musculoskeletal Parameters in School Children: A Randomized Controlled Trial by Vieth, Volume 91/no. 2 of the Journal of Clinical Endocrinology & Metabolism (2006) (“Vieth II”) |
| MOM-1016       | Public Health Practices in Germany by W. W. Bauer, Volume 40/no. 9 of American Journal of Public Health and The                                                                                                     |

|          |                                           |
|----------|-------------------------------------------|
|          | Nation's Health ("Bauer")                 |
| MOM-1017 | Canadian Patent Application No. 2,558,202 |
| MOM-1018 | Stipulation Letter by Petitioner          |
| MOM-1019 | Declaration of Sarika Patel               |
| MOM-1020 | Declaration of Dr. Casey M. Kraning       |

Pursuant to 37 C.F.R. § 42.10(c), Petitioner, MOM Enterprises, LLC (“Petitioner”), respectfully requests that the Board recognize Dr. Casey M. Kraning as counsel *pro hac vice* in this proceeding. Petitioner seeks the counsel of Dr. Kraning due to her familiarity with the patent-at-issue, the documents filed in this proceeding, and particular experience with the substantive and technical issues involved in this proceeding.

Patent Owner does not oppose this motion.

### **Statement of Facts**

Dr. Kraning is a patent litigation attorney with 7 years of experience representing clients in the pharmaceutical, life sciences, consumer products, and oil and gas industries.

Dr. Kraning regularly litigates patent cases before the United States District Court for the District of Delaware. Through her practice in such cases, Dr. Kraning has gained substantial experience in drafting and responding to discovery, working with technical experts, taking depositions, drafting motions and summary judgment briefs, conducting pre-suit diligence, and working on all stages of IPRs. Petitioner provides Appendix A to Dr. Kraning’s declaration, as evidence of Dr. Kraning’s biography.

Dr. Kraning also has particular experience and familiarity with the substantive and technical issues involved in this *inter partes* review proceeding.

Dr. Kraning has particular experience relevant to the patent-at-issue, including having reviewed and analyzed the patent-at-issue and Petition in this proceeding. Dr. Kraning additionally has experience working with a technical expert on the subject matter of the patent-at-issue.

Moreover, Petitioner has developed a particular relationship with Dr. Kraning such that Petitioner desires to continue the relationship with Dr. Kraning for the purpose of this proceeding.

**Declaration of Individual Seeking to Appear**

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Dr. Casey M. Kraning.

Accordingly, Petitioner submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Dr. Casey M. Kraning as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Date: November 14, 2023

/Lance Wyatt/

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**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on November 14, 2023, a complete and entire copy of this Petitioner's Motion for *Pro Hac Vice* Admission of Dr. Casey M. Kraning and Exhibit 1020 were provided via email, to the Patent Owner by serving the email correspondence addresses of record as follows:

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