

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG BIOEPIS CO., LTD.,
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2023-00884
Patent 11,253,572 B2

Before SUSAN L. C. MITCHELL, ROBERT A. POLLOCK, and
RYAN H. FLAX, *Administrative Patent Judges*.

FLAX, *Administrative Patent Judge*.

ORDER

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

Patent Owner filed motions requesting *pro hac vice* admission of Kira A. Davis and Daralyn J. Durie in the above-captioned proceeding. Papers 19 and 20 (collectively, “Motions”). Patent Owner also submitted Declarations from Attorneys Davis and Durie in support of the Motions. Exs. 2060 and 2061 (collectively “Declarations”). Patent Owner represents that Petitioner indicated that it did not plan to oppose the Motions, and Petitioner has not. Motions 1. For the reasons provided below, the Motions are *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 *pro hac vice* admission, 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 (PTAB Oct. 15, 2013) (Paper 7) (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 Attorneys Davis and Durie each have sufficient legal and technical qualifications to represent Patent Owner in this proceeding, that Attorneys Davis and Durie have each demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Attorneys Davis and Durie meet all other requirements for admission *pro hac vice*. *See* Declarations ¶¶ 1–10. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Attorneys

Davis and Durie. They will be permitted to serve as back-up counsel only.
See 37 C.F.R. § 42.10(c).

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motions for *pro hac vice* admission of Attorneys Davis and Durie are *granted*;

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

FURTHER ORDERED that Attorneys Davis and Durie are authorized to represent Patent Owner as back-up counsel only in this proceeding

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

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

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

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