

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 Petitioner's Motions for Admission *Pro Hac Vice*
of Zachariah Summers and Elliot Choi
37 C.F.R. § 42.10(c)

Petitioner filed motions requesting *pro hac vice* admission of Zachariah Summers and Elliot Choi in the above-captioned proceeding. Papers 23 and 24 (collectively, “Motions”). Petitioner also submitted Declarations from Attorneys Summers and Choi in support of the Motions. Exs. 1066 and 1067 (collectively “Declarations”). Petitioner represents that Patent Owner 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 Summers and Choi each have sufficient legal and technical qualifications to represent Petitioner in this proceeding, that Attorneys Summers and Choi have each demonstrated sufficient litigation experience and familiarity with the subject matter of this proceeding, and that Attorneys Summers and Choi meet all other requirements for admission *pro hac vice*. *See* Declarations ¶¶ 1–10. Accordingly, Petitioner has established good cause for *pro hac vice*

admission of Attorneys Summers and Choi. 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 Petitioner's Motions for *pro hac vice* admission of Attorneys Summers and Choi are *granted*;

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

FURTHER ORDERED that Attorneys Summers and Choi are authorized to represent Petitioner as back-up counsel in this proceeding;

FURTHER ORDERED that Attorneys Summers and Choi comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide¹ (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 Summers and Choi 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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