

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCK SHARP & DOHME LLC,
Petitioner,

v.

THE JOHNS HOPKINS UNIVERSITY
Patent Owner.

IPR2024-00240 (Patent 11,591,393 B2)
IPR2024-00622 (Patent 10,934,356 B2)
IPR2024-00623 (Patent 11,325,974 B2)
IPR2024-00624 (Patent 11,325,975 B2)
IPR2024-00625 (Patent 11,339,219 B2)
IPR2024-00647 (Patent 11,649,287 B2)
IPR2024-00648 (Patent 11,643,462 B2)
IPR2024-00649 (Patent 11,629,187 B2)
IPR2024-00650 (Patent 11,634,491 B2)

Before DEBORAH KATZ, SHERIDAN K. SNEDDEN,
SUSAN L. C. MITCHELL, ROBERT A. POLLOCK, and
DEVON ZASTROW NEWMAN, *Administrative Patent Judges*.¹

PER CURIAM.

¹ This is not an expanded panel of the Board. It is a listing of all the Judges on the panels of the above-listed proceedings. The listed Judges are paneled in various groups of three in the above-identified proceedings.

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ORDER²
Granting Petitioner's Motions for
Pro Hac Vice Admission of Jessica Stauring
37 C.F.R. § 42.10

On November 25, 2024, Petitioner filed motions requesting *pro hac vice* admission of Jessica Stauring in each of the above-identified proceedings (collectively “Motions”). Paper 47.³ Petitioner also submitted Declarations from Ms. Stauring in support of the Motions (collectively “Declarations”). Ex. 1112.⁴ Patent Owner has not opposed the Motions. Paper 47, 1.

For the reasons provided below, Petitioner's Motions are *granted*.

² The combined caption is for administrative convenience only and does not indicate that IPR2024-00240, IPR2024-00622, IPR2024-00623, IPR2024-00624, IPR2024-00625, IPR2024-00647, IPR2024-00648, IPR2024-00649, and IPR2024-00650 have been joined. The parties are not authorized to use this caption without express permission of the Board.

³ For purposes of expediency, we cite to Papers filed in IPR2024-00240. Petitioner filed a similar Motion in IPR2024-00622 (Paper 16), IPR2024-00623 (Paper 15), IPR2024-00624 (Paper 15), IPR2024-00625 (Paper 16), IPR2024-00647 (Paper 9), IPR2024-00648 (Paper 9), IPR2024-00649 (Paper 9), and IPR2024-00650 (Paper 9).

⁴ We cite to Exhibits filed in IPR2024-00240. Petitioner filed a similar Declaration in IPR2024-00622 (Ex. 1112), IPR2024-00623 (Ex. 1112), IPR2024-00624 (Ex. 1112), IPR2024-00625 (Ex. 1112), IPR2024-00647 (Ex. 1112), IPR2024-00648 (Ex. 1112), IPR2024-00649 (Ex. 1112), and IPR2024-00650 (Ex. 1112).

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In accordance with 37 C.F.R. § 42.10(c)(1), 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* 37 C.F.R. § 42.10(c)(1); *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 Ms. Stauring has sufficient qualifications to represent Petitioner in these proceedings, has demonstrated sufficient litigation experience and legal familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*. *See* Ex. 1112. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Ms. Stauring. Ms. Stauring will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c)(1).

We note that Petitioner filed a Power of Attorney including Ms. Stauring in accordance with 37 C.F.R. § 42.10(b). IPR2024-00240, Paper 48; IPR2024-00622, Paper 17; IPR2024-00623, Paper 16;

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IPR2024-00624, Paper 16; IPR2024-00625, Paper 17; IPR2024-00647, Paper 10; IPR2024-00648, Paper 10; IPR2024-00649, Paper 10; and IPR2024-00650, Paper 10.

Petitioner has not filed updated mandatory notices identifying Ms. Stauring as back-up counsel. Therefore, Petitioner must file updated mandatory notices identifying Ms. Stauring as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Jessica Stauring are *granted*;

FURTHER ORDERED that Petitioner must file updated mandatory notices identifying Ms. Stauring as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the above-identified proceedings;

FURTHER ORDERED that Ms. Stauring is authorized to represent Petitioner as back-up counsel only in the above-identified proceedings;

FURTHER ORDERED that Ms. Stauring be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide⁵ (84 Fed. Reg.

⁵ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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64,280 (Nov. 21, 2019)), and comply with 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. Stauring 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.*

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