UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEOGENOMICS LABORATORIES, INC.,
Petitioner,

v.

NATERA, INC.,
Patent Owner.

IPR2024-00346
Patent 11,530,454 B2

Before DEBORAH KATZ, ZHENYU YANG, and RYAN H. FLAX, *Administrative Patent Judges*.

YANG, *Administrative Patent Judge*.

ORDER
Conditionally Granting Petitioner's
Motion to Withdraw and Substitute Counsel
37 C.F.R. § 42.10

On April 5, 2024, with prior Board authorization (Ex. 3001, 1), Petitioner filed a Motion to Withdraw Counsel and Substitute New Counsel in the above-identified proceeding. Paper 7 ("Motion"). Petitioner requests that Derek C. Walter and Adrian C. Percer, both of Weil, Gotshal & Manges LLP, be permitted to withdraw as counsel. Motion 2. It also requests the substitution of Mehran Arjomand, Matthew I. Kreeger, Alex S. Yap, Forrest McClellen, Owen G. Hosseinzadeh, and Briana E. Mittleman, each of Morrison & Foerster LLP, as new counsel. *Id.* Patent Owner states that it does not oppose the Motion. Ex. 3001, 1.

A party represented by counsel must designate a lead counsel and at least one backup counsel. 37 C.F.R. § 42.10(a). In addition, counsel may not withdraw from an *inter partes* review proceeding unless the Board authorizes such withdrawal. 37 C.F.R. § 42.10(e).

Under the circumstances in this case, we conditionally grant Petitioner's unopposed Motion. We note that a power of attorney has not been filed to identify Mr. Arjomand as new lead counsel, and Mr. Kreeger, Mr. Yap, Mr. McClellen, Mr. Hosseinzadeh, and Ms. Mittleman as new backup counsel. All attorneys currently designated as counsel for Petitioner, thus, shall remain of record until new lead and backup counsel are identified by an appropriate power of attorney. *See* 37 C.F.R. § 42.10(b). Mr. Walter and Mr. Percer will be authorized to withdraw as counsel effective upon Petitioner's filing of a power of attorney assigning Mr. Arjomand, Mr. Kreeger, Mr. Yap, Mr. McClellen, Mr. Hosseinzadeh, and Ms. Mittleman as counsel.

On the basis of the foregoing, it is:

ORDERED that Petitioner's Motion is *conditionally granted*, effective upon Petitioner's filing of a power of attorney and updated mandatory notices identifying new lead and backup counsel; and

FURTHER ORDERED that Derek C. Walter and Adrian C. Percer shall be withdrawn from this proceeding, effective upon Petitioner's filing of a power of attorney and updated mandatory notices identifying new lead and backup counsel.

For PETITIONER:

Derek Walter
Adrian Percer
WEIL, GOTSHAL & MANGES LLP
derek.walter@weil.com
adrian.percer@weil.com

For PATENT OWNER:

Michelle E. Armond
Douglas R. Wilson
Patrick Maloney
Monica Arnold
ARMOND WILSON LLP
michelle.armond@armondwilson.com
doug.wilson@armondwilson.com
patrick.maloney@armondwilson.com
monica.arnold@armondwilson.com