UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DR. REDDY'S LABORATORIES, S.A. AND
DR. REDDY'S LABORATORIES, INC.,
Petitioners,

v.

EYE THERAPIES, LLC,
Patent Owner.

_____

Case No.: IPR2024-00467

U.S. Patent No.: 11,833,245

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PETITIONERS' UNOPPOSED NOTICE OF INTENT TO DESIGNATE PROVISIONALLY RECOGNIZED PTAB ATTORNEY ROBERT FREDERICKSON III AS BACK UP COUNSEL UNDER 37 C.F.R. § 42.10(c)

Pursuant to 37 C.F.R. § 42.10(c), Petitioners Dr. Reddy's Laboratories S.A. and Dr. Reddy's Laboratories, Inc. hereby notices their intent to be represented *pro hac vice* by provisionally recognized attorney Robert Frederickson III in this proceeding, IPR2024-00467, regarding U.S. Patent No. 11,833,245 ("the '245 patent").

Further, pursuant to 37 C.F.R. § 42.10(c)(2)(ii), Petitioners identify Linnea P. Cipriano, a registered practitioner holding Registration No. 67,729, as lead counsel. Filed currently with this Notice is Exhibit 1033, the Declaration of Robert Frederickson III in Support of Notice of Intent to Designate Provisionally Recognized PTAB Attorney as Back-Up Counsel under 37 C.F.R. § 42.10(c) ("Frederickson Decl.").

I. STATEMENT OF MATERIAL FACTS

1. 37 C.F.R. § 42.10(c) provides that "[t]he 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 and to any other conditions as the Board may impose." For example, where the lead counsel is a registered practitioner, a notice of intent to designate a provisionally recognized PTAB attorney as back-up counsel may be granted *pro hac vice* recognition upon showing that counsel is an experienced litigating attorney, has an established legal familiarity with the subject matter at issue in the proceeding, and satisfies all the

requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney.

2. Authorization to file the Notice of Intent to Designate Provisionally Recognized PTAB Attorney was granted by the Board on January 15, 2025.

3. Linnea P. Cipriano, lead counsel for Petitioners Dr. Reddy's Laboratories S.A. and Dr. Reddy's Laboratories, Inc., is a registered practitioner holding Registration No. 67,729.

4. As set forth in the Frederickson Decl., Mr. Frederickson is an experienced litigating attorney. Specifically, Mr. Frederickson has over 18 years of experience representing clients in patent litigations, in United States District Courts and the Court of Appeals for the Federal Circuit. (Frederickson Decl., ¶ 3).

5. Mr. Frederickson was most recently recognized *pro hac vice* by the Board in *Slayback Pharma LLC v. Eye Therapies, LLC*, IPR2022-00142, on August 16, 2022. (*Slayback Pharma LLC v. Eye Therapies, LLC*, IPR2022-00142, Paper No. 27 (P.T.A.B. Aug. 16, 2022)).

6. Mr. Frederickson also has an established familiarity with the precise subject matter at issue in this proceeding. In the course of this representation, he has developed a strong familiarity with the '245 patent, its prosecution history, the general subject matter to which the '245 patent is directed, and the prior art references relied upon by Petitioners and Patent Owner in support of their

respective pleadings. (Frederickson Decl., ¶ 6). Additionally, Mr. Frederickson has thoroughly reviewed the Petition, the Patent Owner's Response, and accompanying Exhibits submitted in this proceeding. (*Id.*).

7. Mr. Frederickson has attested to the each of the requirements set forth in paragraph 2(b)(i)-(viii) of the "Order Authorizing Motion for Pro Hac Vice Admission" in IPR 2013-00639, Paper 7, at 3. (Frederickson Decl., ¶¶ 4-13).

II. CONCLUSION

In view of the foregoing, Petitioners respectfully submit that the requirements of 37 C.F.R. § 42.10(c) have been satisfied, and requests an Order permitting Robert Frederickson III to appear *pro hac vice* on its behalf in this proceeding.

Dated: January 15, 2025

Respectfully submitted,

/Linnea P. Cipriano/

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Counsel for Petitioners Dr. Reddy's Laboratories S.A. and Dr. Reddy's Laboratories, Inc.

CERTIFICATION OF SERVICE

I, Linnea P. Cipriano, certify that I caused to be served a true and correct copy of the foregoing **PETITIONERS' UNOPPOSED NOTICE OF INTENT TO DESIGNATE PROVISIONALLY RECOGNIZED PTAB ATTORNEY ROBERT FREDERICKSON III AS BACK UP COUNSEL UNDER 37 C.F.R. § 42.10(c)** and **EXHIBIT 1033, DECLARATION OF ROBERT FREDERICKSON III IN SUPPORT OF NOTICE OF INTENT TO DESIGNATE PROVISIONALLY RECOGNIZED PTAB ATTORNEY AS BACK-UP COUNSEL UNDER 37 C.F.R. § 42.10(c)** by email, as follows:

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January 15, 2025

/Linnea P. Cipriano/
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