

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRUKER SPATIAL BIOLOGY, INC.,
Petitioner,

v.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE,
Patent Owner.

Case IPR2024-00526
Patent 11,542,554 B2

Before ZHENYU YANG, TAWEN CHANG, and CYNTHIA HARDMAN,
Administrative Patent Judges.

CHANG, *Administrative Patent Judge.*

ORDER

Granting NanoString Technologies, Inc.'s
Unopposed Motion to Substitute Party
37 C.F.R. § 42.5(a)

On January 30, 2024, NanoString Technologies, Inc. (“NanoString”) filed a Petition in this proceeding for *inter partes* review of claims 36–70 of U.S. Patent No. 11,542,554 B2. Paper 2.

With our prior authorization, NanoString moved on July 16, 2024 to substitute Bruker Spatial Biology, Inc. (“Bruker Spatial”) in place of NanoString as Petitioner in this *inter partes* review. Paper 11. In its motion, NanoString represents that it filed a petition for relief under chapter 11 of the Bankruptcy Code on February 4, 2024, that the Bankruptcy Court approved the sale of substantially all of NanoString’s assets to Bruker Corporation on April 19, 2024, that Bruker Corporation assigned its rights and obligations under the Asset Purchase Agreement with NanoString to Bruker Spatial on May 5, 2024, and that “the acquisition” closed on May 6, 2024. *Id.*

NanoString has submitted updated mandatory notices identifying Bruker Spatial as a real party-in-interest. Paper 12.¹ The motion is not opposed.

Accordingly, it is

ORDERED that NanoString’s Unopposed Motion to Substitute Party is granted; and

¹ We understand Paper 12 to be Petitioner’s Updated Mandatory Notices, although it was erroneously titled “Patent Owner’s Updated Mandatory Notices.” We further note that this order granting the Motion to Substitute Party does not indicate an agreement with all of the statements in the Motion. As an example, the Board did not “stay[] all deadlines in this proceeding until chapter 11 proceedings in the Bankruptcy Court and any appeals conclude or until the Board received notice that the Bankruptcy Court has lifted the stay with respect to this proceeding.” Paper 11, 1.

FURTHER ORDERED that the caption used in this Order, reflecting the change in Petitioner, be used by the parties in future filings in this proceeding.

IPR2024-00526
Patent 11,542,554 B2

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