

Filed on behalf of ST REPRODUCTIVE
TECHNOLOGIES, LLC

By: Daniel L. Moffett (dmoffett@akingump.com)
AKIN GUMP STRAUSS HAUER & FELD LLP
112 E. Pecan Street, Suite 1010
San Antonio, Texas 78205
Tel: (210) 281-7155
Fax: (210) 224-2035

Paper No. 9
Date Filed:
March 4, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SMAXTEC INC. and
SMAXTEC ANIMAL CARE GMBH,
Petitioners

v.

ST REPRODUCTIVE TECHNOLOGIES, LLC,
Patent Owner

Case IPR2024-01067
Patent 10,231,644

**PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE THOMAS W.
LANDERS, IV, A PROVISIONALLY RECOGNIZED PTAB ATTORNEY, AS
BACKUP COUNSEL UNDER 37 C.F.R. § 42.10(c)(2)**

EXHIBIT LIST

Exhibit	Description
EX2001	Declaration of Dr. Edwin Kan
EX2002	<i>Curriculum Vitae</i> of Dr. Edwin Kan
EX2003	U.S. Patent Publication No. 2010/0302039 (“Goto”)
EX2004	Disclaimer of Claim 13 of U.S. Patent No. 10,231,644
EX2005	Declaration of Thomas W. Landers, IV in Support of Patent Owner’s Notice of Intent to Designate a Provisionally Recognized PTAB Attorney as Backup Counsel Under 37 C.F.R. § 42.10(c)(2)

Pursuant to the email of March 4, 2025 authorizing the filing of this notice (EX3002), Patent Owner ST Reproductive Technologies, LLC respectfully notifies the Board of its intent to designate Thomas W. Landers, IV, a provisionally recognized PTAB attorney, as back-up counsel under 37 C.F.R. § 42.10(c)(2) in IPR2024-01067. Patent Owner seeks the counsel of Mr. Landers due to his experience representing Patent Owner in related patent matters and his familiarity with the legal, substantive, and technical issues involved in this proceeding. Mr. Landers satisfies the requirements of a provisionally recognized PTAB attorney eligible for automatic *pro hac vice* admission. *See* 37 C.F.R. § 42.10(c)(2)(i). He has been previously recognized *pro hac vice* in PTAB proceedings, and he has not subsequently been denied permission to appear *pro hac vice* in any proceeding.

The registered practitioner who will serve as lead counsel in this proceeding is Daniel L. Moffett (Reg. No. 60,715).

The most recent prior proceedings in which Mr. Landers was recognized *pro hac vice* by order of the PTAB pursuant to a motion of the type described in 37 C.F.R. § 42.10(c)(1) were IPR2024-00875 and IPR2024-00885. *See* IPR2024-00875, Paper 14 (PTAB October 2, 2024); IPR2024-00885, Paper 12 (PTAB October 2, 2024).

This notice is also accompanied by a certification in the form of a declaration executed by Mr. Landers (EX2005). In the declaration, Mr. Landers

attests to satisfying all requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney. EX2005, ¶¶2, 12; *see also id.*, ¶¶3-11; EX3002. Mr. Landers specifically attests that:

- i. he is a member in good standing of the State Bar of Texas (EX2005, ¶3);
- ii. he has no suspensions or disbarments from practice before any court or administrative body (*id.*, ¶4);
- iii. none of his applications for admission to practice before any court or administrative body has ever been denied (*id.*, ¶5);
- iv. no sanctions or contempt citations have ever been imposed by any court or administrative body on Mr. Landers (*id.*, ¶6);
- v. he has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 CFR part 42 (*id.*, ¶7);
- vi. he will be subject to the USPTO Rules of Professional Conduct set forth in 37 CFR §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 CFR § 11.19(a) (*id.*, ¶8);
- vii. he identifies all other proceedings before the Office for which he has applied to appear *pro hac vice* in the last three years (*id.*, ¶9; *see also id.*, ¶10); and

viii. he has legal familiarity with the subject matter at issue in the proceeding (*id.*, ¶11).

Patent Owner therefore submits that Mr. Landers has satisfied all requirements to be deemed admitted *pro hac vice* in this proceeding.

Dated: March 4, 2025

Respectfully submitted,

By: / Daniel L. Moffett /
Daniel L. Moffett
Registration No. 60,715
dmoffett@akingump.com
AKIN GUMP STRAUSS HAUER &
FELD LLP
112 E. Pecan Street, Suite 1010
San Antonio, Texas 78205
Tel: 210-281-7100
Fax: 210-224-2035

Counsel for Patent Owner
ST Reproductive Technologies, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served on counsel of record on March 4, 2025 by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS), as well as delivering a copy via electronic mail to counsel of record for the Petitioners at the following addresses:

DECHERT LLP
Jeff Plies – jeff.plies@dechert.com
Michael Fisher – michael.fisher@dechert.com
smaXtec-IPRs@dechert.com

Dated: March 4, 2025

Respectfully submitted,

By: / Daniel L. Moffett /
Daniel L. Moffett
Registration No. 60,715
Counsel for Patent Owner