

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DR. FALK PHARMA GMBH,
Petitioner,

v.

ELLODI PHARMACEUTICALS, L.P.,
Patent Owner.

IPR2024-01197
Patent 8,771,729 B2

Before ERICA A. FRANKLIN, ZHENYU YANG, and
TAWEN CHANG, *Administrative Patent Judges*.

CHANG, *Administrative Patent Judge*.

DECISION

Granting Patent Owner's Motion for Admission *Pro Hac Vice* of
Isha Agarwal
37 C.F.R. § 42.10

On March 5, 2025, Patent Owner filed a motion for admission *pro hac vice* of Isha Agarwal in this proceeding. Paper 13 (“Mot.” or “Motion”). The Motion relies on a Declaration from Ms. Agarwal. Ex. 2006 (“Decl.”). Powers of Attorney and Mandatory Notice identifying Ms. Agarwal have been filed. Papers 4, 5.

Pursuant to 37 C.F.R. § 42.10(c), 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 its notice authorizing motions for *pro hac vice* admission, the Board requires 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 this proceeding. *See Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB 2013) (representative “Order – Authorizing Motion for Pro Hac Vice Admission”).

Based on the facts set forth in the Motion and the accompanying Declaration, we conclude that Ms. Agarwal has sufficient legal and technical qualifications to represent Patent Owner in these proceedings, has demonstrated sufficient litigation experience and familiarity with the subject matter of these proceedings, and effectively meets all other requirements for admission *pro hac vice*. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Ms. Agarwal, who will be permitted to serve only as back-up counsel. *See* 37 C.F.R. § 42.10(c).

ORDER

It is:

ORDERED that Patent Owner's motion for *pro hac vice* admission of Isha Agarwal is *granted*, and Ms. Agarwal is authorized to represent Patent Owner only as back-up counsel in these proceedings;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in each proceeding;

FURTHER ORDERED that Ms. Agarwal is to be familiar with the Patent Trial and Appeal Board's Consolidated Trial Practice Guide (November 2019), *available at* <https://www.uspto.gov/TrialPracticeGuideConsolidated>, 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. Agarwal is subject to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO's Rules of Professional Conduct set forth at 37 C.F.R. §§ 11.101–11.901.

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