

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AXION BIOSYSTEMS, INC.,

Petitioner,

v.

AGILENT TECHNOLOGIES, INC.,

Patent Owner.

Case No. IPR2024-01467

Patent 11,906,508

**PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF
YANG WANG, Ph.D., ESQ. UNDER 37 C.F.R. § 42.10(c)**

A. Relief Requested

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Agilent Technologies, Inc. (“Patent Owner” or “Agilent”) respectfully requests that the Patent Trial and Appeal Board (“the PTAB” or “the Board”) admit Yang Wang, Ph.D., Esq., *pro hac vice* as back-up counsel on behalf of Patent Owner during this proceeding.

In an *Inter Partes* Review (“IPR”) proceeding, the Board has discretion under 37 C.F.R. § 42.10(c) to recognize counsel *pro hac vice*. 37 C.F.R. § 42.10(c) sets forth:

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 and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

A Declaration of Yang Wang, Ph.D., Esq. (“Wang Declaration”) in support of this Motion is filed herewith as Exhibit 2021.

B. Relief Requested

In this proceeding, the designated lead counsel, Brenton R. Babcock, is a registered practitioner with the Office and experienced in PTAB proceedings. Based on the following facts supported by the Wang Declaration submitted

herewith, Patent Owner has established good cause for the Board to admit Mr. Wang to practice *pro hac vice* in this matter:

1. Mr. Wang is an Associate Attorney with the law firm Sterlington PLLC and specializes in patent litigation, including proceedings before the Patent Trial and Appeal Board and the federal courts. Wang Decl. ¶ 1.

2. Mr. Wang is an admitted attorney in good standing of the New York Bar and the Massachusetts Bar, where he has been admitted since 2023 and 2025, respectively. *Id.* ¶ 2.

3. Mr. Wang has been actively practicing as an attorney in the field of intellectual property, including patent litigation, for about six (6) years in the US and Canada. *Id.* ¶ 4.

4. Mr. Wang has attained a passing grade on the examination for registration to practice before the United States Patent and Trademark Office (“Office”) completed on December 11, 2024. As a Canadian citizen, he is currently seeking to be granted limited recognition pursuant to 37 CFR § 11.9(b) to practice before the Office in patent matters. *Id.* ¶ 5.

5. The designated lead counsel in this proceeding, Brenton R. Babcock, is a registered practitioner with the Office and is experienced in PTAB proceedings. *Id.* ¶ 8.

6. Mr. Wang has never been denied admission to practice, disciplined, suspended, or disbarred before any U.S. court or administrative body. *Id.* ¶ 9.

7. Mr. Wang has never been held in contempt by any court or administrative body. *Id.* ¶ 9.

8. Mr. Wang has read and will comply with the Patent Trial Practice Guide and the Board's Rule of Practice for Trials. *Id.* ¶ 10.

9. Mr. Wang understands and agrees to be subject to the USPTO Rules of Professional Conduct pursuant to 37 C.F.R. § 11.101. *Id.* ¶ 11.

C. Good Cause Exists for Admission *Pro Hac Vice*

In accordance with 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon showing of good cause, subject to the condition that lead counsel be a registered practitioner and to any other condition the Board may impose. 37 C.F.R. § 42.10(c). As set forth above, Patent Owner's lead counsel, Brenton R. Babcock, is a registered practitioner and experienced in PTAB proceedings. Further, good cause has been shown where, for example, the attorney for which *pro hac vice* admission is sought is an experienced patent litigator and has a familiarity with the subject matter at issue in the proceeding, and the admission of the party's counsel will facilitate the party's ability to effectively participate in the proceeding. Agilent Technologies, Inc. respectfully submits that all of these conditions have been met here.

As supported by his Declaration, Mr. Wang is an experienced litigator who has litigated patent infringement cases previously and has a strong technical background. Wang Decl. ¶¶ 6-7.

Mr. Wang also has established a familiarity with the subject matter at issue in this proceeding and has participated in strategic discussions with co-counsel since May 2025. Mr. Wang has become familiar with Agilent's technological innovations and patent portfolio, including the '508 patent at issue in this IPR proceeding. Mr. Wang has analyzed and studied the '508 patent and its file history. Agilent would greatly benefit from Mr. Wang's involvement in this proceeding, given his knowledge of the subject matter at issue.

D. Conclusion

In light of the foregoing, Patent Owner respectfully submits that there is good cause for the Board to recognize Mr. Wang as counsel *pro hac vice* for Patent Owner during this proceeding.

Dated: July 29, 2025

By: / Brenton R. Babcock /
Brenton R. Babcock (Reg. No. 39,592)
Dan Liu (Reg. No. 69,291)
Yang Wang (*pro hac vice* forthcoming)
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CERTIFICATE OF COMPLIANCE

Pursuant to 37 CFR § 42.6(e), I certify that on July 29, 2025, true and correct copies of the foregoing **MOTION FOR *PRO HAC VICE* ADMISSION OF YANG WANG, Ph.D., ESQ.**, and accompanying **EXHIBIT 2021** was served by email on the following counsel of record for Axion Biosystems, Inc.:

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Respectfully submitted,

STERLINGTON, PLLC

Dated: July 29, 2025

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