

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PREOMICS GMBH AND BIOGNOSYS AG.,

Petitioners,

v.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.,

Patent Owner.

Case No. IPR2024-01473

Patent No. 11,435,360

**PETITIONERS' NOTICE OF INTENT TO DESIGNATE STEPHEN P.
BOSCO, A PROVISIONALLY RECOGNIZED PTAB
ATTORNEY, AS BACK-UP COUNSEL PURSUANT TO 37 C.F.R. § 42.10(c)**

PETITIONERS' UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,435,360
1002	File History of U.S. Patent No. 11,435,360 (<i>excerpts</i>)
1003	Declaration of Dr. Jessica Vargas
1004	<i>Curriculum Vitae</i> of Dr. Jessica Vargas
1005	Cai <i>et al.</i> , “Characterization of Carbon Nanotube Protein Corona by Using Quantitative Proteomics,” <i>Nanomedicine: Nanotechnology, Biology and Medicine</i> 9 (2013) 583-593, with its supplementary data (Table S2) (“Cai”)
1006	Walkey <i>et al.</i> , “Protein Corona Fingerprinting Predicts the Cellular Interaction of Gold and Silver Nanoparticles,” <i>ACS Nano</i> 8 (2014) 2439-2455 (“Walkey”)
1007	Zaccaria <i>et al.</i> , “Accessing to the Minor Proteome of Red Blood Cells Through the Influence of the Nanoparticle Surface Properties on the Corona Composition,” <i>International Journal of Nanomedicine</i> 10 (2015) 1869-1883, with its Supplemental Materials (“Zaccaria”)
1008	Hu <i>et al.</i> , “Nanoparticle Size Matters in the Formation of Plasma Protein Coronas on Fe ₃ O ₄ Nanoparticles,” <i>Colloids and Surfaces B: Biointerfaces</i> 121 (2014) 354-361, including Appendix A (Table S1) (“Hu”)
1009	Bryk <i>et al.</i> , “Quantitative Analysis of Human Red Blood Cell Proteome,” <i>Journal of Proteome Research</i> 16 (2017) 2752-2761, including supporting information (“Bryk”)

Exhibit No.	Description
1010	Hajipour <i>et al.</i> , “Personalized Protein Coronas: a “Key” Factor at the Nanobiointerface,” <i>Biomaterials Science</i> 2 (2014) 1210-1221 (“Hajipour”)
1011	U.S. Patent No. 10,866,242 (“Farokhzad”)
1012	Declaration of Nancy Adams
1013	<i>Curriculum Vitae</i> of Nancy Adams
1014	Nanjappa <i>et al.</i> , “Plasma Proteome Database as a Resource for Proteomics Research: 2014 Update,” <i>Nucleic Acids Research</i> 42 (2014) D959-D965 (“Nanjappa”)
1015	Ahmed, “Sample Preparation and Fractionation for Proteome Analysis and Cancer Biomarker Discovery by Mass Spectrometry,” <i>Journal of Separation Science</i> 32 (2009) 771-798 (“Ahmed”)
1016	Cao <i>et al.</i> , “Latent Transforming Growth Factor-Beta Binding Protein-1 in Circulating Plasma as a Novel Biomarker for Early Detection of Hepatocellular Carcinoma,” <i>International Journal of Clinical and Experimental Pathology</i> 8(12) (2015) 16046-16054 (“Cao”)
1017	U.S. Provisional Patent Application No. 62/435,409 (“the ’409 Provisional”)
1018	Ishihama <i>et al.</i> , “Exponentially Modified Protein Abundance Index (emPAI) for Estimation of Absolute Protein Amount in Proteomics by the Number of Sequenced Peptides per Protein,” <i>Molecular & Cellular Proteomics</i> 4.9 (2005) 1265-1272 (“Ishihama”)
1019	U.S. Patent No. 8,796,184 (“Chilkoti”)

Exhibit No.	Description
1020	Archival website for http://www.plasmaproteomedatabase.org/faq.html as of Feb. 19, 2015, <i>available at</i> https://web.archive.org/web/20150219211334/http://www.plasmaproteomedatabase.org/faq.html
1021	Dean, L. “Blood Groups and Red Cell Antigens,” Chapter 1: Blood and the cells it contains, Bethesda (MD): National Center for Biotechnology Information (US) (2005), <i>available at</i> https://www.ncbi.nlm.nih.gov/books/NBK2263/ .
1022	Norouzi, N. <i>et al.</i> , “Sorting cells by their density,” PLoS ONE, 12(7):e0180520 (2017) (“ <i>Norouzi</i> ”)
1023	Archival website for https://www.ncbi.nlm.nih.gov/books/NBK2261/ as of Mar. 20, 2014, <i>available at</i> https://web.archive.org/web/20140320071602/https://www.ncbi.nlm.nih.gov/books/NBK2261/
1024	Graves <i>et al.</i> , “Molecular Biologist's Guide to Proteomics,” <i>Microbiology and Molecular Biology Reviews</i> 66(1), (2002) 39-63 (“ <i>Graves</i> ”)
1025	Berg <i>et al.</i> , <i>Biochemistry, Sixth Edition</i> . W.H. Freeman and Company (2007) (<i>excerpts</i>) (“ <i>Berg</i> ”)
1026	McDonald <i>et al.</i> , “Shotgun Proteomics and Biomarker Discovery,” <i>Disease Markers</i> 18(2), (2002) 99-105 (“ <i>McDonald</i> ”)
1027	Aebersold <i>et al.</i> , “Mass Spectrometry-Based Proteomics,” <i>Nature</i> 422(6928), (2003) 198-207 (“ <i>Aebersold</i> ”)

Exhibit No.	Description
1028	Yates <i>et al.</i> , “Proteomics by Mass Spectrometry: Approaches, Advances, and Applications,” <i>Annual Review of Biomedical Engineering</i> 11(1) (2009) 49-79 (“Yates”)
1029	Feist <i>et al.</i> , “Proteomic Challenges: Sample Preparation Techniques for Microgram-Quantity Protein Analysis from Biological Samples,” <i>International Journal of Molecular Sciences</i> 16(2) (2015) 3537-3563 (“Feist”)
1030	Szabo <i>et al.</i> , “Challenges and Developments in Protein Identification Using Mass Spectrometry,” <i>Trends in Analytical Chemistry</i> 69 (2015) 76-87 (“Szabo”)
1031	Bantscheff <i>et al.</i> , “Quantitative Mass Spectrometry in Proteomics: A Critical Review,” <i>Analytical and Bioanalytical Chemistry</i> , 389 (2007) 1017-1031 (“Bantscheff”)
1032	Harris, D. <i>Quantitative Chemical Analysis, Seventh Edition</i> . W.H. Freeman and Company (2007) (<i>excerpts</i>)
1033	[<i>served not filed</i>] Second Declaration of Nancy Adams
1034	[<i>served not filed</i>] Declaration of Mina Ching
1035	Declaration of Stephen P. Bosco

I. STATEMENT OF THE PRECISE RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c)(2), PreOmics GmbH and Biognosys AG. (“Petitioners”) respectfully submit this Notice of Intent to Designate Stephen P. Bosco, a Provisionally Recognized PTAB Attorney, as Back-up Counsel for Petitioners in this proceeding, Case No. IPR2024-01473.

II. APPLICABLE RULES

Pursuant to 37 C.F.R. § 42.10(c)(2), “[a]ny counsel who is not a registered practitioner, who has been previously recognized *pro hac vice* in a Board proceeding, and who has not subsequently been denied permission to appear *pro hac vice* in a Board proceeding shall be considered a provisionally recognized PTAB attorney.” “If a party seeks to be represented in a proceeding by a provisionally recognized PTAB attorney, that party may file a notice of intent to designate a provisionally recognized PTAB attorney as back-up counsel.” *Id.* at § 42.10(c)(2)(ii). The notice should (i) “[i]dentify a registered practitioner who will serve as lead counsel,” and (ii) “[b]e accompanied by a certification in the form of a declaration or affidavit in which the provisionally recognized PTAB attorney attests to satisfying all requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney and agrees to be subject to the USPTO Rules of Professional Conduct set forth in §§ 11.101 et seq. of this chapter and disciplinary jurisdiction under § 11.19(a) of this chapter.” *Id.* at § 42.10(c)(2)(ii).

III. FACTS ESTABLISHING THAT STEPHEN P. BOSCO IS A PROVISIONALLY RECOGNIZED PTAB ATTORNEY

Stephen P. Bosco is an experienced litigator whose twelve-year career has focused on patent and other intellectual property litigation. As set forth in his concurrently filed declaration (EX1035), Mr. Bosco was recently admitted to practice, through the PTAB's Provisionally Recognized PTAB Attorney process, in the following proceedings: *Under Armour, Inc. v. Athalonz LLC*, Case Nos. IPR2024-00636, IPR2024-00637, IPR2024-00638, IPR2024-00639, and IPR2024-00640. Further, he handled the oral argument on behalf of Patent Owner in IPR2024-00639 and IPR2024-00640. Mr. Bosco has previously been admitted *pro hac vice* in the following Board proceedings: *FLIR Systems, Inc. et al v. Garmin Switzerland GmbH*, Case No. IPR2017-00946; *MModal LLC f/k/a MModal Inc. et al v. Nuance Communications, Inc. et al.*, Case No. IPR2018-01431; *MModal LLC f/k/a MModal Inc. et al. v. Nuance Communications, Inc.*, Case No. IPR2018-01435; and *MModal LLC f/k/a MModal Inc. et al v. Nuance Communications, Inc.*, Case No. IPR2019-00306. EX1035, ¶4. Further, Mr. Bosco attests that he otherwise satisfies all requirements necessary for recognition as a Provisionally Recognized PTAB Attorney, and that he agrees to be subject to the USPTO Rules of Professional Conduct and discipline. EX1035, ¶¶2-8.

Petitioners' undersigned lead counsel, Patrick Colsher, is a registered practitioner (Reg. No. 72,220), as is Petitioners' other back-up counsel, Christine E. Lehman (Reg. No. 38,535).

Dated: September 2, 2025

Respectfully submitted,

REICHMAN, JORGENSEN,
LEHMAN & FELDBERG LLP

/Patrick Colsher/
Patrick Colsher
(Reg. No. 74,955)

Lead Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by email on Patent Owner's
counsel of record:

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Respectfully submitted,

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Dated: September 2, 2025

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