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Paper 44

Entered: February 20, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABBOTT LABORATORIES,
Petitioner,
v.
MIRACOR MEDICAL SA,
Patent Owner.

IPR2025-00096 (Patent 11,351,356 B2)
IPR2025-00112 (Patent 11,351,357 B2)
IPR2025-00113 (Patent 11,376,415 B2)
IPR2025-00114 (Patent 11,572,879 B2)
IPR2025-00115 (Patent 11,674,517 B2)
IPR2025-00116 (Patent 11,754,077 B1)[1]

Before ANNETTE R. REIMERS, JAMES A. TARTAL, and JOHN D. HAMANN, *Administrative Patent Judges*.

TARTAL, Administrative Patent Judge.

ORDER
Conditionally Granting Petitioner's Motions for
Pro Hac Vice Admission of Kevin J. Boyle
37 C.F.R. § 42.10

[1] The combined caption is for administrative convenience only. The parties are not authorized to use this caption without express permission of the Board.

Petitioner filed a motion requesting *pro hac vice* admission of Kevin J. Boyle in each of the above-identified proceedings (collectively "Motions"). Paper 38.[2] Petitioner also submitted a declaration from Mr. Boyle in support of each motion (collectively "Declarations"). Ex. 1052. Patent Owner has not opposed the Motions. For the reasons provided below, Petitioner's Motions are *conditionally granted*.

In accordance with 37 C.F.R. § 42.10(c)(1), 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 authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide 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 the proceeding. *See* 37 C.F.R. § 42.10(c)(1); *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative "Order – Authorizing Motion for *Pro Hac Vice* Admission").

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Boyle has sufficient qualifications to represent Petitioner in these proceedings, has demonstrated sufficient litigation experience and legal familiarity with the subject matter of these proceedings, and meets all other requirements for admission *pro hac vice*.

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[2] For purposes of expediency, we cite to papers filed in IPR2025-00096. Petitioner filed similar papers in IPR2025-00112, IPR2025-00113, IPR2025-00114, IPR2025-00115, and IPR2025-00116.

See Paper 38; Ex. 1052. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Boyle.

Upon review of the record, however, we note that updated Powers of Attorney, in accordance with 37 C.F.R. § 42.10(b), have not been filed for Mr. Boyle in these proceedings. Accordingly, Petitioner's Motions are *conditionally granted*, effective upon Petitioner filing updated Powers of Attorney for Mr. Boyle.

Further, Petitioner has not filed updated Mandatory Notices identifying Mr. Boyle as back-up counsel in each proceeding. Petitioner must file updated Mandatory Notices identifying Mr. Boyle as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Petitioner's Motions for *pro hac vice* admission of Kevin J. Boyle are *conditionally granted*, effective upon Petitioner filing an updated Power of Attorney identifying Mr. Boyle in each of the above-identified proceedings;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel for these proceedings;

FURTHER ORDERED that Mr. Boyle is authorized to represent Petitioner as back-up counsel only in these proceedings;

FURTHER ORDERED that Mr. Boyle be familiar with the Patent Trial and Appeal Board Consolidated Trial Practice Guide[3] (84 Fed. Reg. 64,280 (Nov. 21, 2019)), 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 Mr. Boyle is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*[4]

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[3] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

[4] In the Declarations, Mr. Boyle indicates he "will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 et seq.," which we understand as intended to identify the *USPTO Rules of Professional Conduct* set forth in 37 C.F.R. §§ 11.101 *et seq.* *See* Ex. 1052 ¶ 6.

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