UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AZURITY PHARMACEUTICALS, INC.,
Petitioner,

v.

HELSINN HEALTHCARE S.A.,
Patent Owner.

Case IPR2025-00949
Patent No. 10,828,297

PATENT OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION OF MELANIE R. RUPERT

I. INTRODUCTION AND PRECISE RELIEF REQUESTED

Helsinn Healthcare S.A. ("Patent Owner") requests that the Board recognize Melanie R. Rupert as counsel *pro hac vice* during this proceeding. This motion was authorized in the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response. (Paper 5 at 3.) Because this motion meets all of the Board's requirements, Patent Owner requests that the Board grant this motion. Prior to filing this motion, Patent Owner conferred with Petitioner, and Petitioner indicated that it does not intend to oppose this motion.

II. STATEMENT OF FACTS

Patent Owner has been authorized to file motions seeking admission *pro hac vice* under 37 C.F.R. §42.10(c). (*See id*. at 3.) Patent Owner's lead counsel is a registered practitioner. (Paper 4 at 1-2.) As set forth in the accompanying declaration, Ms. Rupert is a partner at Paul Hastings. (Ex. 2071 at ¶ 2.) She is an experienced litigating attorney with more than twenty years of experience and has served as counsel in numerous patent infringement lawsuits before the district courts, and has also supported various aspects of *Inter Partes* Review proceedings. (*Id.*)

Ms. Rupert has an established familiarity with the subject matter at issue in this proceeding. (*Id.* at ¶ 9.) Ms. Rupert has reviewed U.S. Patent No. 10,828,297 ("the '297 patent"), the patent-at-issue, and other papers associated with this matter. (*Id*.)

In addition, Ms. Rupert is a member in good standing of the New York Bar. (*Id.* at ¶ 1.) She has never been suspended or disbarred from practice before any court or administrative body. (*Id.* at ¶ 3.) She has never had an application for admission to practice before any court or administrative body denied. (*Id.* at ¶ 4.) She has never had sanctions or contempt citations imposed by any court or administrative body. (*Id.* at ¶ 5.) She has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of title 37 of the Code of Federal Regulations. (*Id.* at ¶ 6.) She agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101, *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (*Id.* at ¶ 7.) Ms. Rupert has not applied to appear *pro hac vice* in any other proceedings before the Office in the last three years. (*Id.* at ¶ 8.)

III. REASONS FOR GRANTING THE MOTION

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." 37 C.F.R. § 42.10(c). For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon showing that counsel who is seeking *pro hac vice* admission is "an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding." (*Id.*) The motion for

pro hac vice admission must contain a statement of facts showing good cause and be accompanied by a declaration of the individual who is seeking admission. *See Unified Patents, Inc.* v. *Parallel Iron, LLC*, IPR2013-00639, Paper No. 7 at 3-4 (P.T.A.B. Oct. 15, 2013). The declaration in turn must contain certain attestations. (*Id.*)

This motion and the accompanying declaration meet all of the Board's requirements. The lead counsel in this proceeding, Eric W. Dittmann, is a registered practitioner. (Paper 4 at 1.) Ms. Rupert is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding. (*See* Ex. 2071 at ¶¶ 2, 9.) Ms. Rupert's declaration makes the necessary attestations. (*Id.* at ¶ 10.)

IV. CONCLUSION

For the foregoing reasons, Patent Owner submits that there is good cause for the Board to recognize Ms. Rupert as counsel *pro hac vice* in this proceeding.

Dated: January 6, 2026

Respectfully submitted,

By: /Eric W. Dittmann/
Eric W. Dittmann (Reg. No. 51,188)
Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2026, a copy of the foregoing Patent Owner's Motion for *Pro Hac Vice* Admission of Melanie R. Rupert was served by electronic means upon the following:

Richard Torczon (rtorczon@wsgr.com)
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Dated: January 6, 2026

Respectfully submitted,

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