

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOPSOE INC.,

Petitioner,

v.

CASALE SA,

Patent Owner.

Patent No. 11,286,168

Issued: March 29, 2022

Filed: August 13, 2019

Inventors: Francesco Baratto et al.

Title: PROCESS FOR THE SYNTHESIS OF AMMONIA WITH LOW
EMISSIONS OF CO₂ IN ATMOSPHERE

Inter Partes Review No. IPR2025-01454

**CASALE SA'S MOTION FOR *PRO HAC VICE* ADMISSION OF ERIN
KOLTER UNDER 37 C.F.R. § 42.10(c)**

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Casale SA, by and through its attorneys, respectfully requests that the Board admit Erin Kolter *pro hac vice* in this proceeding.

II. GOVERNING LAW, RULES, AND PRECEDENT

Section 42.10(c) states as follows:

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.

Further, the Board requires that a motion for *pro hac vice* admission be filed in accordance with the “NOTICE OF FILING DATE ACCORDED – 37 C.F.R. § 42.10” in *Topsoe Inc. v. Casale SA*, Case No. IPR2025-01454 (“Notice of Filing Date”). The Notice of Filing Date states that the motion must “[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding,” and “[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following:”

- i. Membership in good standing of the Bar of at least one State or the District of Columbia;

- ii. No suspensions or disbarments from practice before any court or administrative body;
- iii. No application for admission to practice before any court or administrative body ever denied;
- iv. No sanctions or contempt citations imposed by any court or administrative body;
- v. The individual seeking to appear 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 the C.F.R.;
- vi. The individual will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§10.20 *et seq.*¹ and disciplinary jurisdiction under 37 C.F.R. § 11.19(a);
- vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and
- viii. Familiarity with the subject matter at issue in the proceeding.¹

¹ The USPTO Code of Professional Responsibility in 37 C.F.R. § 10.20 *et seq.* was replaced by the USPTO Rules of Professional Conduct in 37 C.F.R. § 11.101 *et seq.*, effective May 3, 2013.

III. STATEMENT OF FACTS

Based on the following statement of facts, and supported by the Declaration of Erin Kolter submitted herewith, Casale SA submits that a showing of good cause has been made and respectfully requests the *pro hac vice* admission of Erin Kolter in this proceeding:

1. Casale SA's lead counsel, Case Collard is a registered practitioner (Reg. No. 72,901).
2. Ms. Kolter is Of Counsel at the law firm of Dorsey & Whitney, LLP ("Dorsey"), counsel for Patent Owner, Casale S.A., in the related district court litigation, *Topsoe, Inc. v. Casale US, Inc. et al.*, No. 3:24-cv-00033 (S.D. Tex.) (the "S.D. Tex. Litigation"). Ms. Kolter joined Dorsey as Of Counsel in May 2017. (Declaration of Erin Kolter in Support of Casale SA's Motion for *pro hac vice* Admission of Erin Kolter under 37 C.F.R. § 42.10(c).)
3. Ms. Kolter is a litigation attorney with specific experience in patent law and patent law litigation. Ms. Kolter has represented clients in numerous patent infringement actions across the country. (*Id.*)
4. Ms. Kolter is a member in good standing of the states of Washington and California. (*Id.*)

5. Ms. Kolter has never been suspended or disbarred from practice before any court or administrative body. (*Id.*)
6. No application filed by Ms. Kolter for admission to practice before any court or administrative body has ever been denied. (*Id.*)
7. No sanctions or contempt citations have been imposed against Ms. Kolter by any court or administrative body. (*Id.*)
8. Ms. Kolter has read and agrees to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R. (*Id.*)
9. Ms. Kolter understands that she will be subject to the USPTO Rules of Professional Conduct 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. §11.19(a). (*Id.*)
10. Ms. Kolter has applied to appear pro hac vice in two proceedings before the United States Patent and Trademark Office in the last three (3) years. Those proceedings are *Shenzhen Qianfenyi Intelligent Technology Co., Ltd. v. Wacom Co., Ltd.*, PTAB-IPR2025-01533 and *Shenzhen Qianfenyi Intelligent Technology Co., Ltd. v. Wacom Co., Ltd.*, PTAB-IPR2025-01596. Her pro hac application in PTAB-IPR2025-01533 was filed on October 10, 2025, and was still pending when institution was discretionarily denied on January 16, 2026.

PTAB-IPR2025-01533, Paper 14. Her *pro hac* application in PTAB-IPR2025-01596 was granted on January 22, 2026. PTAB-IPR2025-01596, Paper 14.

11. Ms. Kolter has an established familiarity with the subject matter at issue in this proceeding and in the related S.D. Tex. Litigation. She has closely studied the asserted patent and participated in discovery related to the same. Ms. Kolter has acquired substantial understanding of the underlying issues at stake in this matter.

IV. GOOD CAUSE EXISTS FOR PRO HAC VICE ADMISSION OF ERIN KOLTER

The facts outlined above in the Statement of Facts, and contained in the Declaration of Erin Kolter, establish that there is good cause to admit Ms. Kolter *pro hac vice* in this proceeding under 37 C.F.R. § 42.10. Casale SA's lead counsel is a registered practitioner. Ms. Kolter has specific experience in litigating patent matters and has an established familiarity with the subject matter at issue in this, and the other related proceeding noted in Section III., Paragraph 11, *supra*.

V. CONCLUSION

In light of the foregoing, Casale SA respectfully requests that the Board admit Erin Kolter *pro hac vice* in this proceeding.

Dated: March 26, 2026

Respectfully submitted,

/Case Collard/

Case Collard

Registration No. 72,901

DORSEY & WHITNEY LLP

Telephone: +1(303) 629-3400

Attorney for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on November 11, 2025 a complete and entire copy of this Motion for Pro Hac Vice Admission was served on the Petitioner via electronic mail at the following addresses:

Robert Riddle: rriddle@reedsmith.com

Jennifer Black: jblack@reedsmith.com

Jonathan Detrixhe: jdetrixhe@reedsmith.com

IPR_Topsoe@reedsmith.com

Jeffrey A. Andrews: jandrews@yettercoleman.com

Jeffrey J. Phillips: jphillips@spencerfane.com

Dated: March 26, 2026

Respectfully submitted,

/Case Collard/

Case Collard

Registration No. 72,901

DORSEY & WHITNEY LLP

Telephone: +1(303) 629-3400

Attorney for Patent Owner