Filed on behalf of: Janssen Biotech, Inc.

Entered: September 23, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACCORD BIOPHARMA, INC., INTAS PHARMACEUTICALS LTD., AND BIO-THERA SOLUTIONS, LTD.,
Petitioner,

v.

JANSSEN BIOTECH, INC.,
Patent Owner.

IPR2026-00258
Patent No. 12,122,824

PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF KEVIN N. ZHANG UNDER 37 C.F.R. § 42.10(c)(1)

I. RELIEF REQUESTED

Under 37 C.F.R. § 42.10(c) and the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper No. 6), Patent Owner Janssen Biotech, Inc. ("Patent Owner") respectfully requests the *pro hac vice* admission of attorney Kevin N. Zhang, Esq., in this proceeding. Patent Owner has conferred with counsel for Accord BioPharma, Inc., Intas Pharmaceuticals Ltd., and Bio-Thera Solutions, Ltd. ("Petitioner"), and Petitioner does not oppose this motion.

II. LEGAL STANDARD

Under 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 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.

The Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper No. 6) further instructs:

A motion for *pro hac vice* recognition filed pursuant to 37 C.F.R. § 42.10(c)(1) shall be accompanied by the fee set forth in 37 C.F.R. § 42.15(e). Such motion must:

a) Contain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding; and

b) Be accompanied by an affidavit or declaration in which the individual seeking *pro hac vice* recognition attests 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 ever 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 37 CFR part 42;

vi. The individual will be subject to the USPTO Rules of Professional Conduct set forth in 37 CFR 11.101 *et seq*. and disciplinary jurisdiction under 37 CFR 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 years; and

viii. Familiarity with the subject matter at issue in the proceeding.

As set forth below, and in the accompanying Declaration of Kevin N. Zhang in Support of Patent Owner's Unopposed Motion for *Pro Hac Vice* Admission Under 37 C.F.R. § 42.10(c)(1) ("Zhang Decl.," Ex. 2125), each of these requirements is satisfied here.

III. STATEMENT OF FACTS SHOWING GOOD CAUSE FOR THE BOARD TO RECOGNIZE KEVIN N. ZHANG, ESQ. *PRO HAC VICE* IN THIS PROCEEDING

Mr. Zhang is a member in good standing of the District of Columbia Bar (Bar No. 90004398), New York State Bar (Bar No. 5777842), and admitted to practice before the United States District Court of Colorado. Zhang Decl. ¶ 2. Mr. Zhang has never been suspended or disbarred from practice before any court or administrative body. *Id.* ¶ 3. No application of Mr. Zhang for admission to practice before any court or administrative body has ever been denied. *Id.* Nor has any court or administrative body imposed sanctions or contempt citations against Mr. Zhang. *Id.* Mr. Zhang has read, fully understands, and will comply with the Office Patent

Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 Code of Federal Regulations part 42. *Id.* ¶ 4. Mr. Zhang acknowledges and agrees that he will 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.*

Patent Owner's lead counsel in this proceeding, Inge A. Osman, is a registered practitioner (Reg. No. 74,480). As set forth below (and in his accompanying declaration), Mr. Zhang is both an experienced and technically-trained litigation attorney with an established familiarity with the subject matter at issue in this proceeding.

Mr. Zhang received a Bachelor of Arts degree in Chemistry and Economics from Dartmouth College in 2016. Zhang Decl. ¶ 5. Mr. Zhang earned a law degree from the George Washington University Law School in 2019. *Id*. Mr. Zhang joined Latham & Watkins LLP ("Latham") as an associate in 2022. *See id.* ¶ 6.

Mr. Zhang is currently a member of Latham & Watkins's intellectual property group, with a focus on intellectual property and patent litigation. *Id.* Mr. Zhang has practiced in this group for almost four years. *Id.*

Mr. Zhang also has an established familiarity with the subject matter at issue in this proceeding. Mr. Zhang has been actively involved and counsel of record in the related district court litigation between the Petitioner and Patent Owner, before the United States District Court for the District of Delaware (*Janssen Biotech, Inc.*

v. Accord BioPharma, Inc., No. 1:26-cv-00222). *Id.* ¶ 7. U.S. Patent No. 12,122,824 ("'824 patent"), which is at issue in this proceeding, was one of the patents asserted by the Patent Owner in the district court litigation but was dismissed from the litigation without prejudice by party stipulation. *Id.* ¶ 8. Mr. Zhang has been actively involved in Patent Owner's factual investigation and development of its legal positions regarding the claims of the '824 patent at issue here. *Id.*

Mr. Zhang has been actively involved in analyzing and assisting with responding to the Petition for *Inter Partes* Review submitted in this proceeding. *Id.* ¶ 9.

He is concurrently applying to appear *pro hac vice* in the following proceedings before the USPTO: Case Nos. IPR2026-00256, IPR2026-00257, and IPR2026-00259. *Id.* ¶ 10.

In view of Mr. Zhang's extensive knowledge of the subject matter at issue in this proceeding, and in view of the interrelatedness of this proceeding and the related district court litigation, Patent Owner has a substantial need for Mr. Zhang's *pro hac vice* admission and his involvement in the continued prosecution of this proceeding. In addition, admission of Mr. Zhang *pro hac vice* will enable Patent Owner to avoid unnecessary expense and duplication of work between this proceeding and the district court litigation. *See* 77 Fed. Reg. 48,612, 48,661 (Aug. 14, 2012) (Office's comment on final rule discussing concerns about efficiency and costs where an entity

has already engaged counsel for parallel litigation).

IV. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that Mr. Zhang be admitted *pro hac vice* in this proceeding.

Respectfully submitted,

Dated: September 23, 2026

By: / Raghav Bajaj /

Raghav Bajaj (Reg. No. 66,630)
raghav.bajaj@lw.com
Latham & Watkins LLP
300 Colorado St., Suite 2400
Austin, TX 78701
Telephone: 737.910.7370
Fax: 737.910.7301

Counsel for Patent Owner
Janssen Biotech, Inc

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 23rd day of September, 2026, a true and correct copy of the foregoing **Patent Owner's Unopposed Motion for *Pro Hac Vice* Admission of Kevin N. Zhang Under 37 C.F.R. § 42.10(c)(1)** were served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

Lora M. Green (Reg. No. 43,541)
Robert Cerwinski (to be admitted *pro hac vice*)
Keith A. Zullow (Reg. No. 37,975)
Michael Cottler (Reg. No. 79,455)
Michael W. Johnson (Reg. No. 63,731)
Heather M. Schneider (Reg. No. 56,484)
Yahn-Lin (Franklin) Chu (Reg. No. 75,946)
lgreen@geminilaw.com
rcerwinski@geminilaw.com
kzullow@geminilaw.com
mcottler@geminilaw.com
mjohnson@geminilaw.com
hschneider@geminilaw.com
fchu@geminilaw.com
GEMINI LAW LLP
32 West 39th Street, 15th Floor
New York, NY, 10018
Tel.: 301-461-9580

By: / Raghav Bajaj /

Raghav Bajaj (Reg. No. 66,630)
raghav.bajaj@lw.com
Latham & Watkins LLP
300 Colorado St., Suite 2400
Austin, TX 78701
Telephone: 737.910.7370
Fax: 737.910.7301

Counsel for Patent Owner
Janssen Biotech, Inc.