

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUN PHARMACEUTICAL INDUSTRIES, INC.,
Petitioner,

v.

BIOFRONTERA INC.,
Patent Owner.

Case No. IPR2026-00396
U.S. Patent No. 12,280,146

**PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE BRIAN
LARIVEE, A PROVISIONALLY RECOGNIZED PTAB ATTORNEY, AS
BACK-UP COUNSEL UNDER 37 C.F.R. § 42.10(c)**

Patent Owner notifies the Board and Petitioner of its intent to designate Brian Larivee, a provisionally recognized PTAB attorney, as back-up counsel in this proceeding. *See* 37 C.F.R. § 42.10(c)(2). This paper is authorized by the Notice of Filing Date Accorded mailed on July 21, 2026. *See* Paper No. 4 at 1-2.

Patent Owner seeks the addition of Mr. Larivee as back-up counsel due to his experience representing Patent Owner in related patent matters and his familiarity with the substantive and legal issues involved in this proceeding. Mr. Larivee most recently appeared *pro hac vice* in the PGR Sun Pharma previously brought against the same patent in PGR2026-00021, *See* PGR2026-00021, Paper 7 (PTAB February 11, 2026). Before that, the Board granted Mr. Larivee *pro hac vice* admission in IPR2024-01312. *See* IPR2024-01312, Paper 24 (PTAB July 21, 2025). James P. Murphy, a registered practitioner, will act as lead counsel for Patent Owner in this proceeding.

Mr. Larivee satisfies 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 §§ 37 C.F.R. § 11.101 et seq. and disciplinary jurisdiction under § 11.19(a). This Notice of Intent to Designate a Provisionally Recognized PTAB Attorney as Back-Up Counsel is accompanied by the Declaration of Mr. Larivee affirming the requirements that he is eligible for admission *pro hac vice* before the PTAB. Exhibit 2001.

In view of the above, Mr. Larivee satisfies all the criteria to be deemed admitted in accordance with 37 C.F.R. § 42.10(c)(2) upon the filing of updated mandatory notices.

Date: August 5, 2026

Respectfully Submitted,
/James P. Murphy/
James P. Murphy (Reg. No. 55,474)
POLSINELLI PC
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e)(4)(i) *et seq.* and 42.105(b), the undersigned certifies that a complete copy of the forgoing document and all associated exhibits are being served via electronic mail on August 5, 2026 upon the following:

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