UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INARI AGRICULTURE, INC.,

Petitioner,

v.

PIONEER HI-BRED INTERNATIONAL, INC.,
Patent Owner

Case PGR2024-00019
U.S. Patent 11,659,803

PATENT OWNER'S MOTION FOR PRO HAC VICE ADMISSION OF DEXTER WHITLEY UNDER 37 C.F.R. § 42.10(c)

LIST OF EXHIBITS

2001 Declaration of Dexter Whitley in support of Motion for *Pro Hac Vice* Admission

Pursuant to 37 C.F.R. § 42.10(c), the Patent Owner, Pioneer Hi-Bred International, Inc. respectfully requests that the Board recognize Dexter Whitley as counsel *pro hac vice* in this proceeding. Pioneer Hi-Bred International, Inc. seeks the counsel of Dexter Whitley due to his experience in representing Pioneer Hi-Bred International, Inc. in other patent-related matters and particularly due to his familiarity with the substantive and technical issues involved in this proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition that was mailed on March 26, 2024.

I. Statement of Facts

Dexter Whitley is a patent litigation attorney with more than 6 years of experience representing clients in patent cases involving biotechnology, life sciences, and many other technologies. Dr. Whitley regularly litigates patent cases before numerous federal district courts.

Dr. Whitley also has particular experience and familiarity with the issues and subject matter presented in this above-captioned post-grant review proceeding. For example, Dr. Whitley concurrently represents the Patent Owner, Pioneer Hi-Bred International, Inc., in a parallel proceeding involving the patent at issue in this post-grant review proceeding, U.S. Patent No. 11,659,803. Dr. Whitley has extensively reviewed U.S. Patent No. 11,659,803, its prosecution

history, relevant prior art, the Petition for PGR (including the invalidity grounds therein, and the cited references), and all exhibits filed in this case.

This Motion for *Pro Hac Vice* Admission is accompanied by an Affidavit of Dexter Whitley. Accordingly, Pioneer Hi-Bred International, Inc. submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Dexter Whitley as counsel *pro hac vice* during this proceeding.

Respectfully submitted,

Dated: May 24, 2024

/Michael Kane/

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on May 24, 2024, a complete and entire copy of this Patent Owner's Motion for *Pro Hac Vice* Admission of Dexter Whitley, and its exhibit was provided by email to the Petitioner by serving the correspondence address of record as follows:

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