UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CATALYST ORTHOSCIENCE INC.,

Petitioner,

v.

SHOULDER INNOVATIONS, INC.,

Patent Owner.

Case PGR2024-00042

Patent 11,771,561

PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF JOHN F. BENNETT AS ADDITIONAL BACK-UP COUNSEL

37 C.F.R. § 42.10

As authorized by the Board's "Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response," Paper 3, of July 26, 2024, Petitioner Catalyst Orthoscience Inc. ("Petitioner") respectfully moves for the admission *pro hac vice* of John F. Bennett, Partner at Frost Brown Todd LLP, as additional back-up counsel. Good cause is present for the Board to recognize Mr. Bennett as counsel *pro hac vice* during the proceeding.

Under 37 C.F.R. § 42.10(c):

> 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.

Here, lead counsel (Paul M. Ulrich) and back-up counsel (Paul J. Linden and Todd A. Spears) for Petitioner are all registered practitioners. As set forth in the accompanying declaration, and in accordance with the requirements of the "Order—Authorizing Motion for *Pro Hac Vice Admission*" in Case IPR2013-00639, Paper 7, Mr. Bennett is an experienced patent litigator and has an established familiarity of

the subject matter at issue in this proceeding.

Petitioner therefore respectfully requests that the Board recognize Mr. Bennett as counsel *pro hac vice* during this proceeding.

Dated: October 15, 2024

Respectfully submitted,

/ Paul M. Ulrich/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 15, 2024, a true copy of the foregoing Petitioner's Motion for Admission *Pro Hac Vice* of John F. Bennett as Additional Back-Up Counsel, including all papers filed therewith, was served upon the following counsel of record via email:

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Dated: October 15, 2024

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