

PGR2026-00020

Paragon 28 v. Treace Medical Concepts

Filed: August 17, 2026

Filed on behalf of:

Petitioner Paragon 28, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PARAGON 28, INC.,

Petitioner,

v.

TREACE MEDICAL CONCEPTS, INC.,

Patent Owner.

Case No. PGR2026-00020

U.S. Patent No. 12,268,428

**NOTICE OF INTENT TO DESIGNATE A PROVISIONALLY
RECOGNIZED PTAB ATTORNEY AS BACK-UP COUNSEL**

Pursuant to 37 C.F.R. § 42.10, Petitioner Paragon 28, Inc. hereby gives notice that it seeks to designate provisionally recognized PTAB attorney Brandon G. Smith as back-up counsel in this proceeding. Mr. Smith satisfies the requirements of a provisionally recognized PTAB attorney eligible for automatic *pro hac vice* admission. *See* 37 C.F.R. §42.10(c)(2)(i). Mr. Smith has previously been recognized *pro hac vice* in AIA Nos. IPR2023-01460, IPR2024-00460, PGR2026-00017, IPR2026-00194, and PGR2026-00031, and has not subsequently been denied permission to appear *pro hac vice* in any proceeding.

Ali S. Razai (Reg. No. 60,771) shall continue to serve as lead counsel.

This notice is accompanied by certification in the form of a declaration from Mr. Smith certifying that he satisfies the 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 and the disciplinary jurisdiction.

Petitioner therefore submits that Mr. Smith satisfies all requirements to be deemed admitted *pro hac vice* in this proceeding.

Dated: August 17, 2026

By: /Ali S. Razai/
Ali S. Razai (Reg. No. 60,771)
MORGAN, LEWIS & BOCKIUS LLP
Attorney for Petitioner
Paragon 28, Inc.