

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BIODELIVERY SCIENCES INTERNATIONAL, INC.,
Petitioner,

v.

RB PHARMACEUTICALS LIMITED,
Patent Owner.

Case IPR2014-00325
Patent 8,475,832

Before TONI R. SCHEINER, JACQUELINE WRIGHT BONILLA, and
ZHENYU YANG, *Administrative Patent Judges*.

BONILLA, *Administrative Patent Judge*.

DECISION
Motion for *Pro Hac Vice* Admission
37 C.F.R. § 42.10

RB Pharmaceuticals Limited (“Patent Owner”) filed a motion for *pro hac vice* admission of Daniel A. Ladow. Paper 12 (“Mot.”). The motion is unopposed. The motion is GRANTED.

Pursuant to 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing motions for *pro hac vice*, the Board requires the moving party to provide a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in this proceeding. *See* Paper 9 at 2.

In its motion, Patent Owner states that there is good cause for the Board to recognize Mr. Ladow as *pro hac vice* backup counsel during this proceeding, because Mr. Ladow is an experienced litigation attorney with an established familiarity with the subject matter at issue in the proceeding. Mot. 3-4. More specifically, Patent Owner points out that Mr. Ladow has been lead counsel for Patent Owner in several co-pending district court actions involving the same patent at issue in this proceeding. *Id.* Mr. Ladow has made a declaration attesting to, and sufficiently explaining, these facts. Ex. 2001, 2. The declaration complies with the requirements set forth in the Notice.

Upon consideration, Patent Owner has sufficiently demonstrated that Mr. Ladow has sufficient legal and technical qualifications to represent Patent Owner in this proceeding. Moreover, the Board recognizes that there is a need for Patent Owner to have its related litigation counsel involved in this proceeding. Accordingly, Patent Owner has established that there is good cause for admitting Mr. Ladow.

It is

ORDERED that the Patent Owner motion for *pro hac vice* admission of Daniel A. Ladow for this proceeding is GRANTED;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner represent it as lead counsel for this proceeding; and

FURTHER ORDERED that Mr. Ladow is to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of the C.F.R., and to be subject to the Office's Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

PETITIONER:

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