

Case No. IPR2015-00643
Case No. IPR2015-00644
Case No. IPR2015-00830

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.

Petitioner

v.

YEDA RESEARCH AND DEVELOPMENT CO. LTD.

Patent Owner

Case No. IPR2015-00643 (8,232,250 B2)
Case No. IPR2015-00644 (8,399,413 B2)
Case No. IPR2015-00830 (8,969,302 B2)¹

**MOTION FOR *PRO HAC VICE* ADMISSION
OF DAVID L. ANSTAETT**

¹ This Motion for *Pro Hac Vice* Admission addresses all above referenced cases.

The word-for-word identical paper is filed in each proceeding identified in the caption.

I. Statement of Precise Relief Requested

Mylan Pharmaceuticals Inc. (“Mylan”) hereby respectfully requests that the Patent Trial and Appeal Board (the “Board”) admit David L. Anstaett *pro hac vice* in this proceeding under 37 C.F.R. § 42.10(c).

Patent Owner has stated it will not oppose this motion.

II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding

Under 37 C.F.R. § 42.10(c), the Board may admit counsel *pro hac vice* for good cause, so long as lead counsel is a registered practitioner and subject to any other conditions the Board requires. Under Section 42.10(c), good cause includes when “counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” This motion satisfies the requirements of Section 42.10(c):

1. Lead counsel, Jeffrey Guise, is a registered practitioner.
2. Mr. Anstaett is an experienced litigator and has an established familiarity with the subject matter at issue here, as shown in his accompanying October 8, 2015 Declaration (“Anstaett Decl.”), attached hereto. That declaration shows that Mr. Anstaett has been a litigator for 11 years. He is a member in good standing of the State Courts of Virginia and Wisconsin, and is also admitted in numerous federal courts. He is also familiar with the subject matter of this case, including U.S. Patent No. 8,232,250, U.S. Patent No. 8,399,413, and U.S. Patent

No. 8,969,302 (the '250, '413 and '302 patents, respectively), the patents' prosecution histories, the underlying technology, and the prior art cited by the petitioner in this matter. Anstaett Decl. ¶¶ 8-9.

3. In his declaration, Mr. Anstaett also attests to each of the listed items required by the Order – Authorizing Motion for *Pro Hac Vice* Admission –37 C.F.R. § 42.10 in IPR2013-00639. Anstaett Decl. ¶¶ 2-13.

III. Conclusion

For the foregoing reasons, Mylan respectfully requests that the Board admit David L. Anstaett *pro hac vice* in this proceeding.

Dated: October 8, 2015

/Brandon M. White/

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**DECLARATION OF DAVID L. ANSTAETT IN SUPPORT OF MOTION
FOR *PRO HAC VICE* ADMISSION OF DAVID L. ANSTAETT**

¹ This Declaration of David L. Anstaett In Support of Motion for *Pro Hac Vice* Admission addresses all above referenced cases. The word-for-word identical paper is filed in each proceeding identified in the caption.

I, David L. Anstaett, declare as follows:

1. I am a litigation partner at Perkins Coie LLP.

2. I am a member in good standing of the Bar of the Commonwealth of Virginia and the State of Wisconsin. I am also admitted to practice before the United States Courts of Appeals for the Fourth Circuit, D.C. Circuit and Federal Circuit, and the United States Supreme Court.

3. My Bar membership numbers are VA 46614 and WI 1037884.

4. I have been practicing law for 14 years, including litigating patent cases for the last 11 years.

5. More generally, I represent Mylan in litigating significant pharmaceutical patent cases, including the following infringement cases:

- *AstraZeneca AB et al. v. Mylan Laboratories Ltd.*, Civil Action No. 3:12-cv-01378-MLC-TJB (U.S. District Court for the District of New Jersey, U.S. Court of Appeals for the Federal Circuit)
- *Teva Pharmaceuticals USA Inc., et al. v. Mylan Pharmaceuticals Inc., et al.*, Civil Action No. 1:09-cv-08824-WHP (U.S. District Court for the Southern District of New York, U.S. Court of Appeals for the Federal Circuit, U.S. Supreme Court)

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