

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

NISSAN CHEMICAL INDUSTRIES, LTD.,
Patent Owner.

Case IPR2015-01069
Patent 5,856,336

Before JACQUELINE WRIGHT BONILLA, SHERIDAN K. SNEDDEN, and
TINA E. HULSE, *Administrative Patent Judges*.

SNEDDEN, *Administrative Patent Judge*.

DECISION

Granting Petitioner's Motion for
Pro Hac Vice Admission of Thomas R. Burns
37 C.F.R. § 42.10

Petitioner moves for *pro hac vice* admission of Thomas R. Burns. Paper 10 (“Motion”). Petitioner provides a declaration from Mr. Burns in support of its Motion. Ex. 1044. Patent Owner did not file an opposition to Petitioner’s Motion.

Based on the facts set forth in the Motion and the accompanying declaration from Mr. Burns, we conclude that Mr. Burns has sufficient legal and technical qualifications to represent Petitioner and that there is a need for Petitioner to have counsel with experience as a litigation attorney in intellectual property matters involved in these cases. Accordingly, Petitioner has established good cause for Mr. Burns’s *pro hac vice* admission. Mr. Burns will be permitted to appear *pro hac vice* as back-up counsel only. See 37 C.F.R. § 42.10(c).

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner’s Motion for *pro hac vice* admission of Thomas R. Burns is *granted*, and Mr. Burns is authorized to represent Petitioner as back-up counsel;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner as lead counsel;

FURTHER ORDERED that Mr. Burns comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. Burns is subject to the Office’s disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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