

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VI LLC,

PETITIONER,

V.

CELGENE CORPORATION,

PATENT OWNER

Case IPR2015-01092

Patent No. 6,045,501

**PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION OF SADAF R. ABDULLAH AS BACK-UP COUNSEL**

Pursuant to 37 C.F.R. § 42.10(c), Petitioner Coalition for Affordable Drugs VI LLC (“CFAD”) hereby respectfully requests that the Board grant admission *pro hac vice* to Ms. Sadaf R. Abdullah to act as back-up counsel in this proceeding.

I. Introduction and Background

Counsel for CFAD consulted with counsel for Patent Owner, Celgene Corporation (“Celgene”), and Celgene agreed it would not oppose the present motion for *pro hac vice* admission of Ms. Abdullah.

On October 27, 2015, the Patent Trial and Appeal Board (the “Board”) instituted *inter partes* review of Celgene’s U.S. Patent No. 6,315,720. (See Paper 22.) The Board had previously authorized the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). (See Paper 3 at 2.) Therefore, the present motion is proper at this time.

II. Statement of Facts Showing Good Cause for the Present Motion

37 C.F.R. § 42.10(c) states that:

“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.”

As explained and attested to in the accompanying Declaration of Sadaf R. Abdullah, Ms. Abdullah has an established familiarity of the subject matter at issue in this *inter partes* review. (Ex. 1063 ¶¶ 10-14.) Ms. Abdullah is an experienced patent litigation attorney with specific experience serving as counsel (including as trial counsel) in cases related to pharmaceutical patents. (Ex. 1063 ¶¶ 9.) As a result of her work in those cases, Ms. Abdullah has gained expertise with regard to inventions in the field of pharmaceuticals.

Ms. Abdullah is a Member in good standing with the Massachusetts (2006), New York (2010), and Texas (2014) State Bars and is also admitted to practice in the U.S. Courts of Appeals for the Federal Circuit. (*Id.* ¶ 1.)

Ms. Abdullah has applied to appear *pro hac vice* before the Office in one other proceeding within the last three years. (*Id.* ¶ 2.) On February 19, 2016, Ms. Abdullah applied to appear *pro hac vice* in IPR2015-00988, and that application was granted on March 1, 2016 (*see* IPR2015-00988, Paper 26). (Ex. 1063 ¶ 2.) Concurrently with this motion, Petitioner is also filing motions for *pro hac vice* admission for Ms. Abdullah in IPR2015-01096, IPR2015-01102, and IPR2015-01103.

Ms. Abdullah has never been disbarred or suspended from practice before any court or administrative body. (*Id.* ¶ 3.)

Ms. Abdullah has never had any sanctions or contempt citations imposed on him from any court or administrative body. (*Id.* ¶ 4.)

Ms. Abdullah has never been denied any application for admission to practice before any court or administrative body. (*Id.* ¶ 5.)

CFAD's lead counsel for this proceeding, Ms. Sarah Spires, is a registered patent practitioner. (*Id.* ¶ 8.) She is expected to take a maternity leave in the next several months (*id.*), and CFAD seeks the admission of Ms. Abdullah as back-up counsel in order to assist during her absence.

Ms. Abdullah has established deep familiarity with the specific subject matter at issue in this proceeding. (*Id.* ¶¶ 10-14.) Ms. Abdullah has read and analyzed the Petition and supporting materials, and has read and analyzed U.S. Patent No. 6,045,501 ('501 Patent) as well as its prosecution history. (*Id.* ¶¶ 11-12.) Ms. Abdullah worked with the expert witness (Jeffrey Fudin) in preparation for his deposition regarding his declaration in support of the Petition, and attended the deposition. (*Id.* ¶ 14). For example, she has previously worked as counsel in a case concerning Patent Owner's REMS-related programs, which is the subject matter of '501 patent.

Finally, Ms. Abdullah has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 C.F.R. § 42 *et. seq.*, and has agreed to be subject to the USPTO Rules 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). (*Id.* ¶ 7.)

III. Statement of Relief Requested

For the foregoing reasons, Petitioner respectfully requests that the Board grant admission *pro hac vice* to Ms. Abdullah as back-up counsel.

Dated: March 14, 2016

Respectfully submitted,

/Sarah E. Spires/

Sarah E. Spires (Reg. No. 61,501)

SKIERMONT DERBY LLP

2200 Ross Ave. Ste. 4800W

Dallas, TX 75201

P: 214-978-6600/F: 214-978-6601

Lead Counsel for Petitioner

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