

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

AGILA SPECIALTIES INC. and MYLAN LABORATORIES LIMITED,

Petitioners

v.

CEPHALON, INC.,

Patent Owner

Case: IPR2016-00026

Patent No. 8,791,270

**PATENT OWNER'S MOTION FOR WITHDRAWAL
AND SUBSTITUTION OF LEAD AND BACK-UP COUNSEL**

I. 37 C.F.R. § 42.10 – STATEMENT OF RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10, Patent Owner respectfully requests that the Board authorize withdrawal of its current counsel, Eleanor M. Yost and Ira J. Levy of Goodwin Procter LLP.

II. STATEMENT SHOWING GOOD CAUSE FOR THE BOARD TO AUTHORIZE WITHDRAWAL AND SUBSTITUTION OF COUNSEL

Patent Owner requests that its current counsel be deemed withdrawn from the present proceeding, and new counsel, Soumitra (Sam) Deka and Aaron Stiefel of Kaye Scholer (“Kaye Scholer”), be designated lead and back-up counsel, respectively, to represent Patent Owner in this proceeding.

Patent Owner's new counsel meet the requirements of 37 C.F.R. § 42.10(c) as lead counsel and registered practitioners. In identifying and designating new counsel who are ready and able to take over the representation, reasonable steps have been taken to “avoid foreseeable prejudice to the rights of the client, including giving due notice to his or her client, [and] allowing time for employment of another practitioner.” *See* 37 C.F.R. § 10.40(a). Further, Patent Owner believes that granting this motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. *See* 35 U.S.C. § 316(b). A Substitute Power of Attorney for Patent Owner's new counsel accompanies this motion.

III. PETITIONERS DO NOT OBJECT TO THIS SUBSTITUTION

Petitioners have indicated that they do not oppose the requested withdrawal and substitution of counsel for Patent Owner.

IV. CONCLUSION

Patent Owner respectfully requests that the Board grant its motion to authorize withdrawal of counsel and permit substitution of counsel. Upon grant of this motion, new counsel for Patent Owner will promptly file Patent Owner's Amended Mandatory Notices.

Respectfully submitted,

Date: December 10, 2015

/Eleanor M. Yost/
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on this 10th day of December, 2015, Patent Owner's Motion for Withdrawal and Substitution of Counsel and Power of Attorney was served by email on the following counsel of record for the Petitioners:

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Dated: December 10, 2015

/Eleanor M. Yost/
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