

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.
Petitioner

v.

QUALICAPS CO. LTD.
Patent Owner

U.S. Patent No. 6,649,180

Filing Date: April 13, 2000

Issue Date: November 18, 2003

Title: HARD CAPSULE FORMED OF CELLULOSE ETHER FILM WITH A
SPECIFIC CONTENT OF METHOXYL AND HYDROXYPROPOXYL
GROUPS

Inter Partes Review No. 2017-00203

**PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION UNDER 37 C.F.R. § 42.10(c)**

In the Notice of Filing Date Accorded to Petition (“Notice”) mailed November 18, 2016, the Board authorized the parties to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). The Notice requires that such motions be filed in accordance with the “Order – Authorizing Motion *for Pro Hac Vice* Admission” in Case IPR2013-00639, Paper 7 (“Order”).

Petitioner Mylan Pharmaceuticals, Inc. (“Petitioner”) hereby respectfully requests that the Board recognize Mr. Jonathan D. Olinger as counsel *pro hac vice* during this proceeding. This Motion is not opposed by Patent Owner.

1. Time For Filing

This Motion for *Pro Hac Vice* admission is filed no sooner than twenty-one (21) days after service of the petition, as required by the Order.

2. Statement of Facts

The following statement of facts shows that there exists good cause for the Board to recognize Mr. Olinger *pro hac vice*.

Mr. Olinger is an experienced litigation attorney, and has been involved in numerous litigations involving patent infringement in federal courts across the country. Mr. Olinger has experience in jury and bench trials, *Markman* hearings, and Federal Circuit briefing in patent and trademark infringement litigation. Mr. Olinger’s biography is attached hereto as Exhibit 1015.

U.S. Patent No. 6,649,180 is currently asserted against Petitioner in *Warner Chilcott (US), LLC et al. v. Mylan Pharmaceuticals, Inc., et al.*, Case No. 2:15-cv-01740-JRG-RSP (E.D. Texas) (the “co-pending litigation”). Mr. Olinger is counsel for Petitioner in the co-pending litigation, and as such, has an established familiarity with the subject matter at issue in this proceeding. In the co-pending litigation, Mr. Olinger has reviewed prior art, developed invalidity arguments, developed claim construction arguments, managed fact and expert discovery, and drafted motion papers. Petitioner has expended significant financial resources in the co-pending litigation with Mr. Olinger as counsel, and Petitioner wishes to continue using Mr. Olinger as counsel in this proceeding.

Further, counsel for Patent Owner does not oppose Mr. Olinger appearing as *pro hac vice* in this proceeding.

Therefore, Petitioner respectfully submits that there is good cause for the Board to recognize Mr. Olinger as counsel *pro hac vice* during this proceeding.

3. Affidavit or Declaration of Individual Seeking to Appear

This Motion for *Pro Hac Vice* Admission is accompanied by the declaration of Mr. Jonathan D. Olinger, as required by the Order.

Dated: December 21, 2016

Respectfully submitted,

By: *s/Mitchell G. Stockwell*
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Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this **PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION UNDER 37 C.F.R. § 42.10(c)** was served December 21, 2016 via electronic service on the below counsel of record:

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Dated: December 21, 2016

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