

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ARGENTUM PHARMACEUTICALS LLC  
Petitioner

v.

CIPLA LIMITED  
Patent Owner

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CASE IPR2017-00807

U.S. Patent No. 8,168,620

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**PATENT OWNER CIPLA LIMITED'S MOTION  
FOR *PRO HAC VICE* ADMISSION OF  
UMA N. EVERETT UNDER 37 C.F.R. § 42.10(c)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**I. RELIEF REQUESTED**

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Cipla Limited (“Cipla”) requests the *pro hac vice* admission of Uma N. Everett in this proceeding. In email correspondence between Petitioner and Patent Owner dated February 22, 2017, Petitioner agreed not to oppose this motion. Patent Owner seeks *pro hac vice* admission of Ms. Everett in advance of the filing of Patent Owner’s Preliminary Response to the Petition.

**II. GOVERNING LAW, RULES, AND PRECEDENT**

Section 42.10(c) states as follows:

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.

The Board has stated that motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c) must be filed in accordance with the “Order – Authorizing Motion for *Pro*

*Hac Vice* Admission” entered in Case IPR2013-00010 (MPT) (“*Motorola* Order”).

See, e.g., Case IPR 2012-00006 (SGL) (Paper 18); Case IPR2012-0035 (SGL) (Paper 13).

The *Motorola* Order requires that such motions (1) “[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding;” and (2) “[b]e accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following”:

- i. Membership in good standing of the Bar of at least one State or the District of Columbia;
- ii. No suspensions or disbarments from practice before any court or administrative body;
- iii. No application for admission to practice before any court or administrative body ever denied;
- iv. No sanctions or contempt citations imposed by any court or administrative body;
- v. The individual seeking to appear has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of the C.F.R.;
- vi. The individual will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R.

§§ 10.20 et seq. and disciplinary jurisdiction under  
37 C.F.R. § 11.19(a);

- vii. All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years; and
- viii. Familiarity with the subject matter at issue in the proceeding.

### III. STATEMENT OF FACTS

Based on the following facts, and supported by the Affidavit of Ms. Everett (Ex. 2139) submitted herewith, Patent Owner requests the *pro hac vice* admission of Uma N. Everett in this proceeding:

1. Patent Owner's lead counsel, Dennies Varughese, is a registered practitioner (Reg. No. 61,868).
2. Ms. Everett is a Director at the law firm of Sterne, Kessler, Goldstein and Fox P.L.L.C. (Ex. 2139 at ¶ 3.)
3. Ms. Everett is an experienced patent litigation attorney. Ms. Everett has been a litigating attorney for more than 15 years. (*Id.* at ¶ 4.) Ms. Everett has been litigating patent cases for more than 12 years during the entire time period. (*Id.*)

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4. Ms. Everett is a member of good standing of the Bar of the District of Columbia. (*Id.* at ¶ 5.)
5. Ms. Everett has never been suspended or disbarred from practice before any court or administrative body. (*Id.* at ¶ 6.)
6. No application of Ms. Everett for admission to practice before any court or administrative body has ever been denied. (*Id.* at ¶ 7.)
7. No sanctions or contempt citations have ever been imposed against Ms. Everett by any court or administrative body. (*Id.* at ¶ 8.)
8. Ms. Everett has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R. (*Id.* at ¶ 9.)
9. Ms. Everett understands that she will be subject to the Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). (*Id.* at ¶ 10.)
10. Ms. Everett has not applied to appear *pro hac vice* in any proceedings before the Office in the past three years. (*Id.* at ¶ 11.)

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