

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Celltrion, Inc.  
Petitioner,

v.

Genentech, Inc.  
Patent Owner

Case IPR2017-01373  
Patent 6,407,213

**PETITIONER'S MOTION FOR *PRO HAC VICE*  
ADMISSION OF ROBERT V. CERWINSKI**

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

Petitioner Celltrion, Inc. respectfully requests the *pro hac vice* admission of Robert V. Cerwinski in this proceeding, IPR2017-01373, U.S. Patent No. 6,407,213 (“the ’213 patent”), pursuant to 37 C.F.R. § 42.10(c).

**I. THE REQUEST IS TIMELY**

As stated in the Board’s April 11, 2017 Notice of Filing Date Accorded, any motion for *pro hac vice* admission must be filed in accordance with the guidance specified in the “Order Authorizing Motion for *Pro Hac Vice* Admission,” entered in Case IPR2013-00639 (Paper 7). (“PHV Admission Order”). According to that guidance, *pro hac vice* motions can be filed no sooner than (21) days after service of the Petition. This *pro hac vice* motion is filed more than 21 days after the service of the Petition and is therefore timely.

**II. STATEMENT OF FACTS**

As required by the PHV Admission Order, the following statement of facts shows that there is good cause for the Board to recognize Mr. Cerwinski *pro hac vice*. A declaration by Mr. Cerwinski, containing the required statements and information, is submitted herewith. (Ex. 1137).

1. Cynthia Lambert Hardman, lead counsel for Petitioner Celltrion, Inc. in this proceeding, is a registered practitioner holding Registration No. 53,179.
2. Mr. Cerwinski is a partner with Goodwin Procter LLP.

3. Mr. Cerwinski is an experienced litigating attorney. Mr. Cerwinski has been practicing law since 1997 and has extensive experience litigating patent infringement cases in many different district courts across the United States.

4. Mr. Cerwinski's experience in patent litigation matters includes patent bench and jury trials, patent summary judgment proceedings, and other patent-related hearings and pleadings concerning, *inter alia*, patent validity and infringement issues. Mr. Cerwinski has also represented clients' appeals before the Court of Appeals for the Federal Circuit resulting from cases tried by Mr. Cerwinski and in other cases.

5. Mr. Cerwinski has an established familiarity with the subject matter at issue in this proceeding. Specifically, Mr. Cerwinski represents that he has reviewed the Petition and accompanying exhibits filed in this matter and all other papers associated with this proceeding, and has studied the '213 patent. Additionally, he is involved with other IPRs on behalf of Celltrion directed to related subject matter, including IPR2017-01374, IPR2017-01121, IPR2017-01122, IPR2017-01139, IPR2017-01140, and IPR2017-00959 (which is now terminated).

6. Mr. Cerwinski is a member in good standing of the Bar of the State of New York.

7. Mr. Cerwinski has never been suspended or disbarred from practice before any court or administrative body.

8. No application of Mr. Cerwinski for admission to practice before any court or administrative body has ever been denied.

9. No sanctions or contempt citations have been imposed against Mr. Cerwinski by any court or Administrative Body.

10. Mr. Cerwinski has stated that he read and stated that he will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.

11. Mr. Cerwinski has sworn that he understands that he will be subject to the USPTO Code 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).

12. Mr. Cerwinski has applied to appear *pro hac vice* in the following proceedings before the Office in the last three years: IPR2015-01566 (granted), IPR2015-01571 (action terminated before ruling), IPR2015-01572 (action terminated before ruling), IPR2015-01570 (action terminated before ruling), IPR2015-01733 (action terminated before ruling), IPR2015-01744 (action terminated before ruling), IPR2016-01614 (granted), IPR2016-01667 (action terminated before ruling), IPR2017-01121 (pending), IPR2017-01122 (pending), IPR2017-01139 (pending), and IPR2017-01140 (pending). Concurrently with this motion, Petitioner is filing a motion for pro hac vice admission of Mr. Cerwinski in IPR2017-01374.

13. This motion was filed no sooner than 21 days after service of the Petition in this proceeding, which occurred on May 8, 2017.

**III. CONCLUSION**

For the foregoing reasons, Petitioner respectfully requests that the Board admit Robert V. Cerwinski *pro hac vice* in this proceeding.

Dated: January 9, 2018

Respectfully submitted,

/Cynthia Lambert Hardman/

Cynthia Lambert Hardman (Reg. No. 53,179)

Robert V. Cerwinski (seeking *pro hac vice* admission)

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