

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Celltrion, Inc.
Petitioner,

v.

Genentech, Inc.
Patent Owner

Case IPR2017-01374
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, IPR2017-01374, 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 August 30, 2016 Notice of Filing Date, 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 IPR2017-01373, 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 IPR2017-01373.

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)

GOODWIN PROCTER LLP

The New York Times Building

620 Eighth Avenue

New York, NY 10018

(212) 813-8800 (telephone)

(212) 355-3333 (facsimile)

Counsel for Petitioner

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.