

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TORRENT PHARMACEUTICALS LIMITED  
Petitioner

v.

NOVARTIS AG AND MITSUBISHI PHARMA CORP.,  
Patent Owners

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Case IPR2014-00784  
Patent 8,324,283

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Before LORA M. GREEN, MICHELLE R. OSINSKI, and  
CHRISTOPHER M. KAISER, *Administrative Patent Judges*.

GREEN, *Administrative Patent Judge*.

ORDER

Novartis' Motion for Admission *Pro Hac Vice* of  
Robert W. Trenchard  
*37 C.F.R. § 42.10*

**Argentum v. Novartis**

Patent Owner, Novartis AG, (“Patent Owner”), timely filed a Motion for Admission *Pro Hac Vice* of Robert W. Trenchard pursuant to 37 C.F.R. § 42.10(c) (Paper 6), accompanied by a Declaration of Robert W. Trenchard in support of the Motion (Ex. 2001). Petitioner has not filed an opposition to the Motion. For the reasons provided below, Patent Owner’s Motion is *granted*.

As set forth in § 42.10(c), we 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. In its Motion, Patent Owner asserts that there is good cause for Mr. Trenchard’s *pro hac vice* admission because: (1) Mr. Trenchard is an experienced litigation attorney and has experience as a patent litigation attorney; and (2) Mr. Trenchard has an established familiarity with the subject matter at issue in the instant proceeding. Paper 6, at 2, 3. In addition, Mr. Trenchard is familiar with U.S. Patent No. 8,324,283 which is the subject matter of this proceeding, its prosecution history, and the prior art references that are the subject of this proceeding. He has also met with certain inventors of the patent and certain authors of the asserted prior art references. In support of the Motion, Mr. Trenchard attests to these facts in his Declaration. Exhibit 2001, ¶¶ 4-5, 9-10.

Based on the facts set forth above, we conclude that Mr. Trenchard has sufficient legal and technical qualifications to represent Patent Owner in this proceeding and that the criteria for *pro hac vice* admission are satisfied. *See Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (expanded panel), slip. op. at 3. Accordingly, Patent Owner has established good cause for Mr. Trenchard’s *pro hac vice* admission. Mr. Trenchard will be permitted to appear *pro hac vice* in the instant proceeding as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

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For the foregoing reasons, it is

ORDERED that Patent Owner's Motion for Admission *Pro Hac Vice* of Robert W. Trenchard for the instant proceeding is granted; Mr. Trenchard is authorized to represent Patent Owner as back-up counsel in the instant proceeding;

FURTHER ORDERED that Patent Owner is to continue to have a registered practitioner as lead counsel in the instant proceeding;

FURTHER ORDERED that Mr. Trenchard is to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the Code of Federal Regulations; and

FURTHER ORDERED that Mr. Trenchard is to be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101-11.901.

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