

Filed: January 9, 2018

Filed on behalf of: KVK-Tech, Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KVK-Tech, Inc.
Petitioner

v.

Shire PLC
Patent Owner

Case IPR2017-00290
U.S. Patent No. 8,846,100

**PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF
THOMAS HEDEMANN**

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. § 42.10(c), Petitioner KVK-Tech, Inc. requests that the Patent Trial and Appeal Board (the “Board”) admit Thomas Hedemann *pro hac vice* in this proceeding, IPR2017-00290.

II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During this Proceeding

In accordance with 37 C.F.R. § 42.10(c), 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 the Board may impose. Section 42.10(c) indicates that, “where 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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Mr. Hedemann *pro hac vice* in this proceeding.

1. Lead counsel, Jonathan A. Harris, is a registered practitioner. Back-up counsel, James T. Evans is also a registered practitioner.

2. Mr. Hedemann is an experienced litigator who has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion as Exhibit 1042 is the Declaration of Thomas Hedemann in Support of Motion for

Admission *Pro Hac Vice* (“Hedemann Decl.”). In his declaration, Mr. Hedemann asserts:

I am a member in good standing in the Connecticut Bar and am admitted to practice before the U.S. District Court of Connecticut. I am also admitted to practice before the U.S. Court of Appeals for the Federal Circuit and the U.S. Supreme Court.

Hedemann Decl. ¶ 3 (Ex. 42). Mr. Hedemann also demonstrates that he has a detailed working knowledge of the relevant subject matter through his participation in prior proceedings involving amphetamine salts and Adderall[®] formulations as a result of participation as counsel in prior amphetamine salt-related patent cases. Id. ¶ 10.

3. In his declaration, Mr. Hedemann also attests to each of the listed items required by the Order – Authorizing Motion for *Pro Hac Vice* Admission – 37 C.F.R. § 42.10 in IPR2013-00639. See Hedemann Decl. ¶¶ 1-10 (Ex. 42). Mr. Hedemann attests that he has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 35 C.F.R. § 42. Id. ¶ 7. Mr. Hedemann further attests that he agrees to be subject to the United States Patent and Trademark Office's Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). Id. ¶ 8.

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Mr. Hedemann *pro hac vice* in this proceeding.

Respectfully submitted,

Date: January 9, 2018

By: /s/ Jonathan A. Harris
Jonathan A. Harris
James T. Evans
Axinn, Veltrop & Harkrider LLP
Counsel for Petitioner,
KVK-Tech, Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e)(4) and 42.105, the undersigned certifies that a true and correct copy of this document (Petitioner's Motion for Admission *Pro Hac Vice* of Thomas Hedemann), and every Exhibit filed with this document, were served electronically via email on January 9, 2018, in its entirety on the following:

Joseph R. Robinson
Troutman Sanders LLP
875 Third Avenue
New York, NY 10022
joseph.robinson@troutmansanders.com

Dustin B. Weeks
Troutman Sanders LLP
Bank of America Plaza
600 Peachtree Street NE, Suite 5200
Atlanta, GA 30308-2231
dustin.weeks@troutmansanders.com

Robert Schaffer
Troutman Sanders LLP
875 Third Avenue
New York, NY 10022
robert.schaffer@troutmansanders.com

Patent Owner has consented to electronic service.

/s/ James T. Evans
James T. Evans
Reg. No. 64,377