

Patent Owners' Motion for Admission *Pro Hac Vice* of Amy K. Wigmore

Filed on behalf of Bristol-Myers Squibb Co. and Pfizer Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,

Petitioner,

v.

BRISTOL-MYERS SQUIBB CO.

and PFIZER INC.,

Patent Owners.

IPR No. 2018-00892

Patent No. 9,326,945 B2

**PATENT OWNERS' MOTION FOR ADMISSION
PRO HAC VICE OF AMY K. WIGMORE**

Patent Owners' Motion for Admission *Pro Hac Vice* of Amy K. Wigmore

I. Statement of Precise Relief Requested

Pursuant to 37 C.F.R. § 42.10(c), Patent Owners Bristol-Myers Squibb Co. and Pfizer Inc. (collectively, "Patent Owners") request that the Patent Trial and Appeal Board (the "Board") admit Amy K. Wigmore *pro hac vice* in this proceeding, IPR2018-00892.

II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the 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 as 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 Amy K. Wigmore *pro hac vice* in this proceeding.

1. Lead counsel, Heather M. Petruzzi, is a registered practitioner. Backup counsel Timothy A. Cook, Kevin M. Yurkerwich, Michael E. Nelson, and Jason M. Okun, are also registered practitioners.

2. Amy K. Wigmore is an experienced litigator and has an established familiarity with the subject matter at issue in the proceeding. Accompanying this motion as Exhibit 2002 is the Declaration of Amy K. Wigmore in Support of this Motion for Admission *Pro Hac Vice* ("Wigmore Decl."). In her declaration, Ms. Wigmore asserts:

I am a member in good standing of the Bars of the Commonwealth of Massachusetts and District of Columbia and am admitted to practice before the U.S. District Courts for the District of Columbia, District of Colorado, and District of Massachusetts. I am also admitted to practice before the U.S. Court of Appeals for the Federal Circuit, the D.C. Circuit, and the Sixth Circuit, as well as the United States Supreme Court. I am also admitted to practice before the District of Columbia Court of Appeal and the Supreme Judicial Court of Massachusetts.

Wigmore Decl. ¶ 3 (Ex. 2002). Ms. Wigmore also demonstrates that she has a detailed working knowledge of the relevant subject matter through both prior *inter partes review* experience and her familiarity with pharmaceutical technologies as a result of participation as counsel in the corresponding district court litigation on this patent as well as many prior pharmaceutical-related intellectual property cases on behalf of both Patent Owners Bristol-

Patent Owners' Motion for Admission *Pro Hac Vice* of Amy K. Wigmore Myers Squibb Co. and Pfizer Inc. as well as other pharmaceutical companies. Wigmore Decl. ¶¶ 5-6 (Ex. 2002).

3. In her declaration, Ms. Wigmore 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* Wigmore Decl. ¶¶ 1-11 (Ex. 2002). Ms. Wigmore attests that she has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 C.F.R. § 42. *See id.* ¶ 10. Ms. Wigmore 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). *See id.* ¶ 11.

III. Conclusion

For the foregoing reasons, Patent Owners respectfully request that the Board admit Amy K. Wigmore *pro hac vice* in this proceeding.

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Respectfully submitted,

Dated: May 16, 2018

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