

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

BIOGEN MA INC.,
Patent Owner.

Case IPR2018-01403
Patent 8,399,514 B2

Before SHERIDAN K. SNEDDEN, JENNIFER MEYER CHAGNON, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

SNEDDEN, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motion for
Pro Hac Vice Admission of Mr. David L. Anstaett
37 C.F.R. § 42.10(c)

Petitioner moves for *pro hac vice* admission of Mr. David L. Anstaett. Paper 21. Petitioner provides a declaration from Mr. Anstaett in support of its motion. Ex. 1056. Petitioner represents that Patent Owner does not oppose Petitioner's motion. Paper 21, 1.

Based on the facts set forth in the motion and the accompanying declaration from Mr. Anstaett, we conclude that Mr. Anstaett has sufficient legal and technical qualifications to represent Petitioner and that there is a need for Petitioner to have counsel with experience as a litigation attorney in intellectual property matters involved in this case. Accordingly, Petitioner has established good cause for Mr. Anstaett's *pro hac vice* admission. Mr. Anstaett will be permitted to appear *pro hac vice* as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We also note that Petitioner should update its mandatory notices, as required by 37 C.F.R. § 42.8, and update its counsel information in the PTAB E2E filing system. We further note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Mr. Anstaett in this proceeding. Therefore, Petitioner must submit a Power of Attorney within ten (10) business days.

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's motion for *Pro Hac Vice* Admission of Mr. David L. Anstaett is *granted*, and Mr. Anstaett is authorized to represent Petitioner as back-up counsel in this proceeding;

FURTHER ORDERED that Petitioner is to continue to have a registered practitioner represent it as lead counsel in this proceeding;

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FURTHER ORDERED that Petitioner must file updated mandatory notices identifying Mr. Anstaett as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that, within ten (10) business days, Petitioner shall submit a Power of Attorney for Mr. Anstaett in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Mr. Anstaett shall comply with the Office Patent Trial Practice Guide, as updated by the August 2018 Update, 83 Federal Register 39,989 (Aug. 13, 2018), and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations;

FURTHER ORDERED that Mr. Anstaett shall be subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), as well as the Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*

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