

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROLLENIUM US INC.,

Petitioner,

v.

ALLERGAN INDUSTRIE, SAS,

Patent Owner.

Case IPR2020-00084
Patent 9,089,519

PETITIONER'S MOTION FOR ADMISSION PRO HAC VICE OF
JOHN W. HARBIN

Pursuant to 37 C.F.R. § 42.10, Petitioner requests that the board admit John W. Harbin *pro hac vice* in this proceeding.

The Board may recognize counsel *pro hac vice* during a proceeding on a showing of good cause. “[W]here lead counsel is a registered practitioner, a motion to appear *pro hac vice* may be granted upon a showing that counsel is an experienced litigation attorney and has an established familiarity with the subject matter at issue in the proceeding.” 37 C.F.R. § 42.10(c).

Here, lead counsel Christopher J. Curfman is a registered practitioner. Mr. Harbin has over 25 years of experience in patent litigation, and he is familiar with the subject matter at issue in this proceeding. Accompanying this motion is the Declaration of John W. Harbin, where Mr. Harbin attests to his experience and familiarity. *See generally* Harbin Decl. (Ex. 1084). Specifically, Mr. Harbin attests that:

- he has been practicing intellectual property litigation, including patent litigation, for more than 25 years;
- he has been lead trial counsel on numerous patent litigation cases;
- he has previously represented the Petitioner on patent-related matters;
- and
- he is lead counsel in the related district court action where the Patent Owner has asserted the challenged patents against Petitioner.

Ex. 1084 ¶¶ 2, 9.

These facts establish good cause to recognize Mr. Harbin in this proceeding.

Respectfully submitted,

/Christopher L. Curfman/

Christopher L. Curfman (Reg. No. 52,787)

PETITIONER'S EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 9,089,519 to Lebreton (issued July 28, 2015) (the '519 patent or the challenged patent)
1002	Declaration of Dale Devore, Ph.D.
1003	CV of Dale Devore, Ph.D.
1004	Steven Fagien & Arnold W. Klein, <i>A Brief Overview and History of Temporary Fillers: Evolution, Advantages, and Limitations</i> , Plastic and Reconstructive Surgery, Vol. 120 Supplement 6S, 8S–16S (Nov. 2007)
1005	Mary P. Lupo, <i>Hyaluronic Acid Fillers in Facial Rejuvenation</i> , Seminars in Cutaneous Medicine and Surgery, Vol. 25, No. 6, 122–126 (Sept. 2006)
1006	Seth L. Matarraso, <i>Understanding and Using Hyaluronic Acid</i> , Aesthetic Surgery Journal Vol. 24, No. 4, 361–364 (July/August 2004)
1007	Rhoda S. Narins & Paul H. Bowman, <i>Injectable Skin Fillers</i> , Clinics in Plastic Surgery, Vol. 32, Issue 2, 151–162 (April 2005)
1008	Clifford P. Clark III, <i>Animal-Based Hyaluronic Acid Fillers: Scientific and Technical Considerations</i> , Plastic and Reconstructive Surgery, Vol. 120 Supplement 6S, 27S-32S (Nov. 2007)
1009	Kevin C. Smith, <i>Practical Use of Juvéderm: Early Experience</i> , Plastic and Reconstructive Surgery, Vol. 120 Supplement 6S, 67S-73S (Nov. 2007)
1010	Rod J. Rohrich, et al., <i>The Role of Hyaluronic Acid Fillers (Restylane) in Facial Cosmetic Surgery: Review and Technical Considerations</i> , Plastic and Reconstructive Surgery, Vol. 120 Supplement 6S, 41S-54S (Nov. 2007)
1011	Michael H. Gold, <i>Use of Hyaluronic Acid Fillers for the Treatment of the Aging Face</i> , Clinical Interventions in Aging, Vol. 2, Issue 3, 369-376 (Sept. 2007)
1012	Brian M. Kinney, <i>Injecting Puragen Plus Into the Nasolabial Folds: Preliminary Observations of FDA Trial</i> , Aesthetic Surgery Journal, Vol. 26, Issue 6, 741-748 (Nov. 2006), also available at https://academic.oup.com/asj/article/26/6/741/238376

Exhibit No.	Description
1013	U.S. Provisional App. Serial No. 61/085,956 (filed Aug. 4, 2008) (priority document for challenged patent)
1014	Gary D. Monheit & Chad L. Prather, <i>Juvéderm: A Hyaluronic Acid Dermal Filler</i> , <i>Journal of Drugs in Dermatology</i> , Vol. 6, Issue 11, 1091-1095 (Nov. 2007)
1015	Leslie S. Baumann, et al., <i>Comparison of Smooth-Gel Hyaluronic Acid Dermal Fillers with Cross-linked Bovine Collagen: A Multicenter, Double-masked, Randomized, Within-Subject Study</i> , <i>Dermatologic Surgery</i> , Vol. 33 Supplement 2, S128-S135 (Dec. 2007)
1016	Deborah, S. Sarnoff, et al., <i>Comparison of Filling Agents for Lip Augmentation</i> , <i>Aesthetic Surgery Journal</i> , Vol. 28, Issue 5, 556-563 (September/October 2008)
1017	Michael S. McCracken, et al., <i>Hyaluronic Acid Gel (Restylane) Filler for Facial Rhytids: Lessons Learned From American Society of Ophthalmic Plastic and Reconstructive Surgery Member Treatment of 286 Patients</i> , <i>Ophthalmic Plastic and Reconstructive Surgery</i> , Vol. 22, Issue 3, 188-191 (May-Jun 2006)
1018	Barry L. Eppley & Babak Dadvand, <i>Injectable Soft-Tissue Fillers: Clinical Overview</i> , <i>Plastic and Reconstructive Surgery</i> , Vol. 118, Issue 4, 98e-106e (Sept. 15, 2006)
1019	M.J.A. Sapijaszko, <i>Dermal Fillers: Ever-Expanding Options for Esthetic Use</i> , <i>Skin Therapy Letter</i> , Vol. 12, No. 8, 4-7 (Oct. 2007)
1020	<i>Update on Drugs</i> , <i>Skin Therapy Letter</i> , Vol. 13, No. 3, 8 (Apr. 2008)
1021	<p>Carol A. Toth, et al., <i>Preclinical evaluation of a novel hyaluronic acid 28 mg/ml lidocaine 0.3% stable combination product</i>, (abstract), <i>Journal of the American Academy of Dermatology</i>, Vol. 56, No. 2, AB94 (Feb. 2007), Abstract P1039</p> <p><i>and</i></p> <p>C. William Hanke, et al., <i>Effectiveness and durability of a hyaluronic acid 28 mg/ml, lidocaine 0.3% stable combination product as demonstrated in a multicenter, randomized trial</i> (abstract), <i>Journal of the American Academy of Dermatology</i>, Vol. 56, No. 2, AB94 (Feb. 2007), Abstract P1040</p>

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