

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROLLENIUM US INC.,
Petitioner,

v.

ALLERGAN INDUSTRIE, SAS,
Patent Owner.

IPR2019-01505, Patent 8,450,475 B2
IPR2019-01506, Patent 8,357,795 B2
IPR2019-01508, Patent 9,238,013 B2
IPR2019-01509, Patent 9,358,322 B2
IPR2019-01617, Patent 8,822,676 B2
IPR2019-01632, Patent 8,357,795 B2
IPR2020-00084, Patent 9,089,519 B2

PATENT OWNER'S MOTION TO WITHDRAW BACK-UP COUNSEL¹

¹ Authorization for the use of a joint caption page was received on April 27, 2020. Neither party opposes the use of a joint caption page. An identical paper has been filed in each case recited in the consolidated caption.

IPR2019-01505, Patent 8,450,475 B2; IPR2019-01506, Patent 8,357,795 B2; IPR2019-01508, Patent 9,238,013 B2; IPR2019-01509, Patent 9,358,322 B2; IPR2019-01617, Patent 8,822,676 B2; IPR2019-01632, Patent 8,357,795 B2; IPR2020-00084, Patent 9,089,519 B2

I. Relief Requested

Pursuant to 37 C.F.R. § 42.10(e), and as authorized by the Board via an email dated July 17, 2020 (*see* 37 C.F.R. § 42.20(b)), counsel for Patent Owner, Allergan Industrie, SAS, respectfully requests authorization for Dorothy P. Whelan (Reg. No. 33,814), Michael Kane (Reg. No. 39,722), and Elizabeth Flanagan (*pro hac vice*) to withdraw as counsel for Patent Owner in each *inter partes* review (“IPR”) proceeding designated in the consolidated case caption.

II. Statement of Reasons for Withdrawal of Back-Up Counsel

As designated in Patent Owner’s recent Updated Mandatory Notice, filed July 15, 2020 in each IPR proceeding designated in the consolidated case caption, Patent Owner has designated Anthony M. Insogna (Reg. No. 35,203) as lead counsel, Tamera M. Weisser (Reg. No. 47,856) as first back-up counsel, and S. Christian Platt (Reg. No. 46,998), Sarah A. Geers (Reg. No. 69,123), and Jennifer M. Hartjes (Reg. No. 77,687) as back-up counsel. Patent Owner desires those designated attorneys to represent Patent Owner going forward in these proceedings.

In addition, Patent Owner seeks the Board’s authorization to allow Dorothy P. Whelan, Michael Kane, and Elizabeth Flanagan to withdraw as back-up counsel for Patent Owner.

IPR2019-01505, Patent 8,450,475 B2; IPR2019-01506, Patent 8,357,795 B2; IPR2019-01508, Patent 9,238,013 B2; IPR2019-01509, Patent 9,358,322 B2; IPR2019-01617, Patent 8,822,676 B2; IPR2019-01632, Patent 8,357,795 B2; IPR2020-00084, Patent 9,089,519 B2

No extensions of time are sought with this Motion. It is believed that granting this Motion will not hinder the economy, the integrity of the patent system, the efficient administration of the Office, or the ability of the Office to timely complete this proceeding. *See* 35 U.S.C. § 316(b); *see also Motorola Mobility LLC v. Arnouse*, Case No. IPR2013-00010, Paper 30, Decision on Renewed Motion to Withdraw at 5 (P.T.A.B. Apr. 19, 2013).

Counsel for Petitioner was contacted prior to filing this Motion. Petitioner does not object to the withdrawal of counsel proposed in this Motion.

III. Conclusion

For the foregoing reasons, Patent Owner respectfully requests that this Motion to Withdraw Back-Up Counsel be granted.

Respectfully submitted,

Dated: July 20, 2020

/ Anthony M. Insogna /

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Attorney for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served on the counsel for Petitioner a true and correct copy of Patent Owner's Motion to Withdraw Back-Up Counsel by electronic means at the following address of record:

mcc.prolenium.ipr@mcciplaw.com

Dated: July 20, 2020

/ Anthony M. Insogna /

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