

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN INSTITUTIONAL LLC and PFIZER INC.,
Petitioners,

v.

NOVO NORDISK A/S,
Patent Owner.

Case IPR2020-00324¹
Patent 8,114,833

**PETITIONER PFIZER, INC.'S MOTION FOR
WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

¹ IPR2020-01252 has been joined with this proceeding

I. RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10, Petitioner Pfizer, Inc. (“Pfizer”) respectfully moves for withdrawal of its current Lead and Back-Up Counsel and substitution with Thomas J. Meloro as Lead Counsel of record and Michael W. Johnson as Back-Up Counsel in this proceeding. The Board authorized Pfizer to file this motion on January 14, 2021, and thus this motion is authorized under 37 C.F.R. § 42.20(b). Co-Petitioner Mylan Institutional LLC (“Co-Petitioner”) and Patent Owner Novo Nordisk A/S (“Patent Owner”) do not oppose this motion.

II. STATEMENT OF REASONS FOR SUBSTITUTION OF COUNSEL

Pfizer wishes for new counsel Thomas J. Meloro (Reg. No. 33,538), a registered practitioner from the law firm Willkie Farr & Gallagher LLP, to represent Pfizer and be substituted as Lead Counsel going forward in this proceeding. Mr. Meloro meets the requirements of 37 C.F.R. § 42.10, and represents Pfizer in other proceedings before the Board. *See, e.g.*, IPR Nos. 2018-01219, 2018-00330, 2018-00331. Pfizer also wishes that Michael W. Johnson (Reg. No. 63,731), also of Willkie Farr & Gallagher LLP, represent it as Back-Up Counsel. An updated Power of Attorney and Mandatory Notice identifying Mr. Meloro as Lead Counsel and Mr. Johnson as Back-Up Counsel is being filed concurrently herewith.

Pfizer also requests that the Board authorize the withdrawal of present Lead Counsel Jovial Wong and Charles B. Klein, and Back-Up Counsel Sharon Lin, each of Winston & Strawn, LLP.

Pfizer seeks no extensions of time, delays, or modification of the schedule governing this proceeding to enable this substitution of Lead Counsel, and thus substitution would not prejudice either Patent Owner or Co-Petitioner, neither of which oppose the motion. Further, Pfizer believes 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).

Dated: January 19, 2021

Respectfully submitted,
/Jovial Wong/
Jovial Wong
Reg. No. 60,115

CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2021, I caused a true and correct copy of the foregoing PETITIONER PFIZER, INC.'S MOTION TO SUBSTITUTE LEAD COUNSEL was served by filing this document through Patent Trial and Appeal Board End to End system as well as delivering a copy via email to the following attorneys of record:

White-ptab@perkinscoie.com
Liraglutide@perkinscoie.com
Greb-ptab@perkinscoie.com
joelke@fenwick.com
ryan.johnson@fenwick.com
laura.moran@fenwick.com

Dated: January 19, 2021

Respectfully submitted,
/Jovial Wong/
Jovial Wong
Reg. No. 60,115