

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

REGENERON PHARMACEUTICALS, INC.,  
Petitioner,

v.

NOVARTIS PHARMA AG, NOVARTIS TECHNOLOGY LLC,  
NOVARTIS PHARMACEUTICALS CORPORATION,  
Patent Owner.

---

IPR2021-00816  
Patent 9,220,631 B2

---

Before ERICA A. FRANKLIN, ROBERT L. KINDER, and  
KRISTI L. R. SAWERT, *Administrative Patent Judges*.

KINDER, *Administrative Patent Judge*.

ORDER  
Granting Petitioner's Motion for Admission  
*Pro Hac Vice* of Petra Scamborova  
*37 C.F.R. § 42.10*

On December 22, 2021, Petitioner filed a Motion for Admission *Pro Hac Vice* of Petra Scamborova. Paper 27 (“Motion”). Petitioner also filed a Declaration of Petra Scamborova in support of the Motion. Ex. 1095 (“Declaration”). Petitioner attests that Patent Owner does not oppose the Motion. Paper 27, 1. For the reasons provided below, Petitioner’s Motion is *granted*.

Pursuant to 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. In its notice authorizing motions for *pro hac vice* admission, the Board requires a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* and an affidavit or declaration of the individual seeking to appear in this proceeding. *See* Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

Based on the facts set forth in the Motion and the accompanying Declaration,<sup>1</sup> we conclude that Ms. Scamborova has sufficient legal and

---

<sup>1</sup> *Unified Patents* indicates that “A motion for *pro hac vice* admission must: . . . Be accompanied by an affidavit or declaration of the individual seeking to appear attesting to the following: . . . All other proceedings before the Office for which the individual has applied to appear *pro hac vice* in the last three (3) years.” *See Unified Patents*, Paper 7 at 3. The Declaration of Ms. Scamborova fails to identify any other proceedings before the Office for which Ms. Scamborova has applied to appear *pro hac vice*. *See* Ex. 1095. For the purposes of this Order, we deem this harmless error, and treat the omission as a representation that Ms. Scamborova has not applied to appear *pro hac vice* in any proceedings before the Office in the last three years. If this is incorrect, Ms. Scamborova shall notify us promptly.

technical qualifications to represent Petitioner in this proceeding, that Ms. Scamborova has demonstrated sufficient familiarity with the subject matter of this proceeding, that Ms. Scamborova meets all other requirements for admission *pro hac vice*, and that Petitioner's intent to be represented by counsel with litigation experience is warranted. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Ms. Scamborova. Ms. Scamborova will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

A Power of Attorney has not been submitted for Ms. Scamborova. Accordingly, Petitioner must submit a Power of Attorney for Ms. Scamborova in accordance with 37 C.F.R. § 42.10(b), and must update its Mandatory Notices as required by 37 C.F.R. § 42.8(b)(3), to identify Ms. Scamborova as back-up counsel.

Accordingly, it is:

ORDERED that Petitioner's Motion for *pro hac vice* admission of Petra Scamborova is *granted*;

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

FURTHER ORDERED that Ms. Scamborova is authorized to represent Petitioner as back-up counsel only in this proceeding;

FURTHER ORDERED that Ms. Scamborova is to comply with the Consolidated Trial Practice Guide<sup>2</sup> (84 Fed. Reg. 64,280 (Nov. 21, 2019)), 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 Ms. Scamborova shall be subject to the

---

<sup>2</sup> Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*,<sup>3</sup>

FURTHER ORDERED that, within ten (10) business days of the date of this Order, Petitioner must submit a Power of Attorney for Ms. Scamborova in this proceeding in accordance with 37 C.F.R. § 42.10(b); and

FURTHER ORDERED that, within ten (10) business days of the date of this Order, Petitioner shall file an updated Mandatory Notice in this proceeding in accordance with 37 C.F.R. § 42.8(b)(3), identifying Ms. Scamborova as back-up counsel.

---

<sup>3</sup> In the Declaration, Ms. Scamborova indicates she “will comply with . . . §§ 11.101 *et. Seq.*,” as opposed to attesting that she shall be subject to the *USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et. seq.* See Ex. 1095 ¶ 7. For the purposes of this Order, we deem this harmless error, noting that Ms. Scamborova is ordered (*see supra*) to “be subject to the Office’s disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.*”

IPR2021-00816  
Patent 9,220,631 B2

For PETITIONER:

Elizabeth Weiswasser  
Anish Desai  
Brian Ferguson  
Christopher Pepe  
WEIL, GOTSHAL & MANGES LLP  
elizabeth.weiswasser@weil.com  
anish.desai@weil.com  
brian.ferguson@weil.com  
christopher.pepe@weil.com

For PATENT OWNER:

Elizabeth Holland  
William James  
Linnea Cipriano  
Joshua Weinger  
GOODWIN PROCTER LLP  
eholland@goodwinprocter.com  
wjames@goodwinlaw.com  
lcipriano@goodwinlaw.com  
jweinger@goodwinprocter.com