

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC.,  
Petitioner

v.

REGENERON PHARMACEUTICALS, INC.,  
Patent Owner

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*Inter Partes* Review No.: IPR2021-00881

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U.S. Patent No. 9,254,338 B2  
Filed: July 12, 2013  
Issued: February 9, 2016  
Inventor: George D. Yancopoulos

Title: USE OF A VEGF ANTAGONIST TO TREAT  
ANGIOGENIC EYE DISORDERS

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**MYLAN PHARMACEUTICALS INC.'S UNOPPOSED  
MOTION FOR *PRO HAC VICE* ADMISSION OF  
ERIC R. HUNT PURSUANT TO 37 C.F.R. § 42.10(c)**

## I. RELIEF REQUESTED.

1. Pursuant to 37 C.F.R. § 42.10(c), and the Board's "Order Authorizing Motion for *Pro Hac Vice* Admission," (*see Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, 2013 WL 8700556, Paper 7 (P.T.A.B. Oct. 15, 2013)), Petitioner Mylan Pharmaceuticals Inc. ("Mylan") requests that the Board admit Eric R. Hunt *pro hac vice* in this proceeding. Counsel for Mylan have met and conferred with counsel for Patent Owner and the joined Petitioners. Neither Patent Owner, nor the joined Petitioners oppose this motion.

## II. STATEMENT OF FACTS.

2. 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 and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.

37 C.F.R. § 42.10(c). The facts, supported by the attached Declaration of Eric R. Hunt In Support of Mylan Pharmaceuticals Inc.'s Unopposed Motion for Admission

*Pro Hac Vice* Admission (Ex.1101, Hunt Decl.), establish good cause to admit Mr. Hunt *pro hac vice* in this proceeding.

3. Lead counsel Paul J. Molino is a registered practitioner before the United States Patent and Trademark Office (“USPTO”).

4. Backup counsel Neil B. McLaughlin is a registered practitioner before the USPTO.

5. Eric R. Hunt is an experienced litigating attorney. Mr. Hunt has been a litigating attorney for more than fifteen (15) years. (Ex.1101, Hunt Decl. ¶ 1.) Mr. Hunt has actively litigated patent cases for more than fifteen (15) years. (*Id.* ¶ 2.) Mr. Hunt is a member in good standing of the Bar of the State of Illinois and the Minnesota Bar. (*Id.* ¶ 3.) Mr. Hunt is also admitted to practice in the United States Court of Appeals for the Federal Circuit and the United States District Court for the Northern District of Illinois. (*Id.*) Mr. Hunt has never been subject to suspensions or disbarments from practice, nor had applications for admission to practice denied, nor been subject to any sanctions or contempt citations by any court or administrative body. (*Id.* ¶¶ 3-6.)

6. Mr. Hunt has familiarity with the subject matter at issue in this proceeding and, more specifically, he is familiar with the patent at issue in this proceeding—U.S. Patent No. 9,254,338 B2 (“the ’338 patent”). (Ex.1101, Hunt

Decl. ¶ 7.) Mr. Hunt is advising Mylan on patent matters relating to the subject matter claimed in the patent at issue in this proceeding. (*Id.*) Mr. Hunt was involved in the strategy and drafting of Mylan's Petition for *Inter Partes* Review relevant to the '338 patent ("the Petition") and, as a result, Mr. Hunt has become intimately familiar with the subject matter of the '338 patent and the prior art raised in the Petition. (*Id.*)

7. Mr. Hunt has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules for Practice for Trials set forth in C.F.R. Part 42 – Trial Practice Before the Patent Trial and Appeal Board, and he agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to disciplinary jurisdiction under 37 C.F.R. § 11.19. (Ex.1101, Hunt Decl. ¶¶ 8-9.)

8. In the last three (3) years, Mr. Hunt has not applied to appear *pro hac vice* in an *inter partes* review proceeding. (Ex.1101, Hunt Decl. ¶ 10.)

### III. ANALYSIS.

9. The facts contained in the Statement of Facts above and the referenced Hunt Declaration (Ex.1101) establish that there is good cause to admit Mr. Hunt *pro hac vice* in this proceeding under 37 C.F.R. § 42.10(c). Lead and backup counsel are registered practitioners, Mr. Hunt is an experienced litigating attorney and Mr. Hunt has an established familiarity with the subject matter at issue in this proceeding.

#### IV. CONCLUSION.

10. For the foregoing reasons, Mylan respectfully requests that the Board admit Eric R. Hunt *pro hac vice* in this proceeding.

Dated: April 20, 2022

Respectfully Submitted,

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