

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS, INC., CELLTRION, INC., and
APOTEX, INC.,
Petitioners,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2021-00881¹
Patent No. 9,254,338

**PETITIONER CELLTRION, INC. UNOPPOSED MOTION
FOR PRO HAC VICE ADMISSION OF ROBERT CERWINSKI
UNDER 37 C.F.R. § 42.10(c)**

¹ IPR2022-00258 has been joined with this proceeding.

I. PRECISE RELIEF REQUESTED

Pursuant to 37 C.F.R. § 42.10(c), Celltrion, Inc. (“Petitioner”) respectfully requests that the Board recognize Robert Cerwinski as counsel *pro hac vice* in this proceeding. Patent Owner (Regeneron) and the other Petitioners (Mylan and Apotex) have indicated that they will not oppose. The Declaration of Mr. Cerwinski (EX1177) accompanies this motion.

II. STATEMENT OF FACTS

1. Mr. Cerwinski is a member in good standing of the Bar of the State of New York and is admitted to practice before the United States District Court for the Southern District of New York and the United States Court of Appeals for the Federal Circuit. EX1177 ¶7.

2. Mr. Cerwinski has not been suspended or disbarred from practice before any court or administrative body. *Id.*, ¶8.

3. No court or administrative body or administrative body has denied an application for admission from Mr. Cerwinski. *Id.*, ¶9.

4. No court or administrative body has imposed sanctions or contempt citations on Mr. Cerwinski. *Id.*, ¶10.

5. Mr. Cerwinski has read and will comply with the Office Patent Trial Practice Guide (and update) and the Board’s Rules of Practice for Trials set forth in part 42 of title 37 of the Code of Federal Regulations. *Id.*, ¶11.

6. Mr. Cerwinski 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(a). *Id.*, ¶12.

7. Mr. Cerwinski has appeared *pro hac vice* before the Office once in the last three years, in *Fresenius Kabi USA, LLC v. Amgen, Inc.*, IPR2020-00314. *Id.*, ¶13.

8. Mr. Cerwinski is a partner at Gemini Law and is a patent litigation attorney with experience representing clients in multiple jurisdictions, including United States District Courts and the Federal Circuit Court of Appeals.

9. Mr. Cerwinski has reviewed U.S. Patent No. 9,254,338 and the submission of the parties in the present proceeding.

III. REASONS FOR THE REQUESTED RELIEF

Petitioner Celltrion has an established relationship with Robert Cerwinski, which Celltrion wishes to continue. Mr. Cerwinski's educational background, litigation experience, successful admission to other tribunals, and experience with this proceeding in particular make him well suited for *pro hac vice*.

IV. DECLARATION OF INDIVIDUAL SEEKING TO APPEAR

This Motion for *Pro Hac Vice* Admission is accompanied by a Declaration of Robert Cerwinski (EX1177).

V. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Board admit Robert Cerwinski as counsel *Pro Hac Vice* in this proceeding.

Respectfully submitted,

Dated: May 31, 2022

/Lora M. Green/

Lora M. Green, Lead Counsel

Reg. No. 43,541

CERTIFICATE OF SERVICE

This is to certify that I caused to be served true and correct copy of the foregoing Motion for Pro Hac Vice Admission Under 37 C.F.R. § 42.10(c) on this 31st day of May 2022, on the Patent Owner at the correspondence address of the Patent Owner as follows:

Deborah Fishman Deborah.fishman@arnoldporter.com

David Cain David.Caine@arnoldporter.com

Alice Sin Yu Ho Alice.ho@arnoldporter.com

Victoria Reines Victoria.Reines@arnoldporter.com

Jeremy Cobb Jeremy.Cobb@arnoldporter.com

Daniel Reisner Daniel.Reisner@arnoldporter.com

Matthew Wilk Matthew.Wilk@arnoldporter.com

RegeneronEyleaIPRs@arnoldporter.com

And to Counsel for Petitioner Mylan Pharmaceuticals in IPR2021-00881, as follows:

Paul Molino paul@rmmslegal.com

William A. Rakoczy wrakoczy@rmmslegal.com

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