

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2021-00880 (Patent 9,669,069 B2)¹
IPR2021-00881 (Patent 9,254,338 B2)²

Before ERICA A. FRANKLIN, JOHN G. NEW, and
SUSAN L. C. MITCHELL, *Administrative Patent Judges*.

PER CURIAM.

ORDER³

Granting Petitioner's Unopposed Motions for Admission *pro hac vice* of
Robert Cerwinski, Brigid Morris, and Aviv Zalcenstein
37 C.F.R. § 42.10

¹ IPR2022-00257 and IPR2022-00301 have been joined with this proceeding.

² IPR2022-00258 and IPR2022-00298 have been joined with this proceeding.

³ The combined caption is for administrative convenience only and does not indicate that IPR2021-00880 and IPR2021-00881 have been joined. The parties are not authorized to use this caption without express permission of the Board.

Celltrion Inc. (“Petitioner”) filed motions for admission *pro hac vice* of Robert Cerwinski, Brigid Morris, and Aviv Zalcenstein in the proceedings listed above. Papers 62, 63, and 65 (collectively, the “Motions”).⁴ Petitioner also filed supporting declarations from Mr. Cerwinski, Ms. Morris, and Mr. Zalcenstein. Ex. 1132–1134. Petitioner states that the Motions are unopposed. *See* Paper 62, 1.

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 authorizing motions for admission *pro hac vice*, 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 these proceedings. *See* Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

Upon review of the motions and declarations submitted, we determine that the requirements of 37 C.F.R. § 42.10 have been satisfied, and that there is good cause to admit Mr. Cerwinski, Ms. Morris, and Mr. Zalcenstein *pro hac vice* for the above-noted proceedings.

⁴ All citations are to IPR2021-00880 and the ’069 patent, with the understanding that IPR2021-00881 includes papers having substantially the same substantive content, unless otherwise noted.

IPR2021-00880 (Patent 9,669,069 B2)

IPR2021-00881 (Patent 9,254,338 B2)

It is, therefore,

ORDERED that the Motions for Admission *pro hac vice* of Robert Cerwinski are *granted* and Mr. Cerwinski is authorized to represent Petitioner as back-up counsel in the above-listed proceedings;

FURTHER ORDERED that the Motions for Admission *pro hac vice* of Brigid Morris are *granted* and Ms. Morris is authorized to represent Petitioner as back-up counsel in the above-listed proceedings;

FURTHER ORDERED that the Motions Admission *pro hac vice* of Aviv Zalcenstein are *granted* and Mr. Zalcenstein is authorized to represent Petitioner as back-up counsel in the above-listed proceedings;

FURTHER ORDERED that a registered practitioner will continue to represent Petitioner as lead counsel in the above-listed proceedings;

FURTHER ORDERED that Mr. Cerwinski, Ms. Morris, and Mr. Zalcenstein shall comply with the Office Patent Trial Practice Guide, as updated by the Patent Trial and Appeal Board Consolidated Trial Practice Guide (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; and

FURTHER ORDERED that that Mr. Cerwinski, Ms. Morris, and Mr. Zalcenstein are subject to the USPTO's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

IPR2021-00880 (Patent 9,669,069 B2)

IPR2021-00881 (Patent 9,254,338 B2)

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