

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

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

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

NEW, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Unopposed Motions for Admission *pro hac vice* of
Victoria Reines, Daniel Reisner, Matthew M. Wilk, and Jeremy Cobb
37 C.F.R. § 42.10

¹ This Order applies to the above-listed proceedings. We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

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Regeneron Pharmaceuticals Inc. (“Patent Owner”) has filed motions for admission *pro hac vice* of Victoria Reines, Daniel Reisner, Matthew M. Wilk, and Jeremy Cobb in the proceedings listed above. Papers 26–29 (collectively, the “Motions”).² Patent Owner also filed supporting declarations from Ms. Reines, Mr. Reisner, Mr. Wilk, and Mr. Cobb. Ex. 2044–2047. Patent Owner states that the Motions are unopposed. *See* Paper 26, 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. 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 these proceedings. *See* Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, Case IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

1. Victoria Reines

The lead counsel for Petitioner in these proceedings, Deborah E. Fishman, is a registered practitioner. Mot. 2. In the Motions, Petitioner states there is good cause for the Board to recognize Ms. Reines *pro hac vice* during these proceedings because counsel for Petitioner have “worked

² All citations are to IPR2021-00880 and the ’069 patent, with the understanding that IPR2021-00881 includes papers having substantially the same substantive content.

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closely with Ms. Reines since they became involved in these proceedings, and will continue to do so” and because “Ms. Reines has significant familiarity with the subject matter in this proceeding and has substantive knowledge of the patent-at-issue (Patent 9,669,069 B2, the “’069 patent”) by virtue of her preparation for this proceeding.” *Id.* at 2–3 (citing Ex. 2004 ¶ 10). Petitioner further states that Ms. Reines has conducted a detailed review of the ’069 patent, the relevant prior art, and the prosecution history and related patents, and has spent a significant amount of time since March 2020 working on issues related to the ’069 Patent and Patent Owner’s commercial product, Eylea®. *Id.* at 3. Petitioner states that Ms. Reines is a patent litigation attorney and has an established familiarity with the subject matter at issue in the proceeding. *Id.*

Ms. Reines attests, *inter alia*, that she has “significant familiarity with the subject matter at issue in this proceeding and have substantive knowledge of the patent at issue ... by virtue of my preparation for this proceeding.” Ex. 2044, 2. Ms. Reines further declares that she “was substantively involved in the preparation of the Patent Owner Preliminary Response.” *Id.* Ms. Reines’ Declaration also complies with our requirements for admission *pro hac vice*. See *Unified Patents*, Paper 7 at 3–4.

2. Daniel Reisner

Lead counsel for Petitioner in these proceedings, Deborah E. Fishman, is a registered practitioner. Mot. 2. In the Motions, Petitioner states there is good cause for the Board to recognize Mr. Reisner *pro hac vice* during these proceedings because counsel for Petitioner have “worked closely with

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Mr. Reisner since they became involved in these proceedings, and will continue to do so” and because “Mr. Reisner has significant familiarity with the subject matter in this proceeding and has substantive knowledge of the [’069 patent] by virtue of his preparation for this proceeding.” *Id.* at 2–3 (citing Ex. 2004 ¶ 10). Petitioner further states that Mr. Reisner has conducted a detailed review of the ’069 patent, the relevant prior art, and the prosecution history and related patents, and has spent a significant amount of time since March 2020 working on issues related to the ’069 Patent and Patent Owner’s commercial product, Eylea®. *Id.* at 3. Petitioner states that Mr. Reisner is a patent litigation attorney and has an established familiarity with the subject matter at issue in the proceeding. *Id.*

Mr. Resiner attests, *inter alia*, that he has “significant familiarity with the subject matter at issue in this proceeding and have substantive knowledge of the patent at issue ... by virtue of my preparation for this proceeding.” Ex. 2045, 2. Mr. Reisner further declares that he “was substantively involved in the preparation of the Patent Owner Preliminary Response.” *Id.* Mr. Reisner’s Declaration also complies with our requirements for admission *pro hac vice*. See *Unified Patents*, Paper 7 at 3–4.

3. Matthew M. Wilk

The lead counsel for Petitioner in these proceedings, Deborah E. Fishman, is a registered practitioner. Mot. 2. In the Motions, Petitioner states there is good cause for the Board to recognize Mr. Wilk *pro hac vice* during these proceedings because counsel for Petitioner have “worked closely with Mr. Wilk since they became involved in these proceedings, and

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will continue to do so” and because “Mr. Wilk has significant familiarity with the subject matter in this proceeding and has substantive knowledge of the [’069 patent] by virtue of his preparation for this proceeding.” *Id.* at 2–3 (citing Ex. 2004 ¶ 10). Petitioner further states that Mr. Wilk has conducted a detailed review of the ’069 patent, the relevant prior art, and the prosecution history and related patents, and has spent a significant amount of time since March 2020 working on issues related to the ’069 Patent and Patent Owner’s commercial product, Eylea®. *Id.* at 3. Petitioner states that Mr. Wilk is a patent litigation attorney and has an established familiarity with the subject matter at issue in the proceeding. *Id.*

Mr. Wilk attests, *inter alia*, that he has “significant familiarity with the subject matter at issue in this proceeding and have substantive knowledge of the patent at issue ... by virtue of my preparation for this proceeding.” Ex. 2046, 2. Mr. Wilk further declares that he “was substantively involved in the preparation of the Patent Owner Preliminary Response.” *Id.* Mr. Wilk’s Declaration also complies with our requirements for admission *pro hac vice*. See *Unified Patents*, Paper 7 at 3–4.

4. Jeremy Cobb

Lead counsel for Petitioner in these proceedings, Deborah E. Fishman, is a registered practitioner. Mot. 2. In the Motions, Petitioner states there is good cause for the Board to recognize Mr. Cobb *pro hac vice* during these proceedings because counsel for Petitioner have “worked closely with Mr. Cobb since they became involved in these proceedings, and will continue to do so” and because “Mr. Cobb has significant familiarity with the subject matter in this proceeding and has substantive knowledge of the

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