

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 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 (1) Robert Cerwinski, (2) Aviv Zalcenstein, and (3) Brigid Morris 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. Declarations of Mr. Cerwinski (EX1095), Mr. Zalcenstein (EX1096) and Ms. Morris (EX1097) accompany this motion.

II. STATEMENT OF FACTS

A. Robert Cerwinski

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. EX1095 ¶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.

B. Aviv Zalcenstein

10. Mr. Zalcenstein 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 Courts for the Southern District of New York and the Eastern District of New York, and the United States Court of Appeals for the Second and Federal Circuits. EX1096 ¶7.

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

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

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

14. Mr. Zalcenstein 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.

15. Mr. Zalcenstein 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.

16. Mr. Zalcenstein has not applied to appear *pro hac vice* before the Office in the last three years. *Id.*, ¶13.

17. Mr. Zalcenstein 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.

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

C. Brigid Morris

19. Ms. Morris 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 Courts for

the Southern District of New York and the Eastern District of New York, and the United States Court of Appeals for the Federal Circuit. EX1097 ¶7.

20. Ms. Morris has not been suspended or disbarred from practice before any court or administrative body. *Id.*, ¶8.

21. No court or administrative body or administrative body has denied an application for admission from Ms. Morris. *Id.*, ¶9.

22. No court or administrative body has imposed sanctions or contempt citations on Ms. Morris. *Id.*, ¶10.

23. Ms. Morris 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.

24. Ms. Morris 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.

25. Ms. Morris has not applied to appear *pro hac vice* before the Office in the last three years. *Id.*, ¶13.

26. Ms. Morris is an associate 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.

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