

UNITED STATES PATENT AND TRADEMARK  
OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL  
BOARD

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APOTEX, INC.,  
Petitioner,

v.

CELGENE CORPORATION,  
Patent Owner.

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Case IPR2023-00512  
Patent 8,846,628

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PATENT OWNER'S UNOPPOSED MOTION FOR ADMISSION  
*PRO HAC VICE* OF AMY K. WIGMORE

**I. Statement of Precise Relief Requested**

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Bristol-Myers Squibb Co. requests that the Patent Trial and Appeal Board (the “Board”) admit Amy K. Wigmore *pro hac vice* in this proceeding, IPR2023-00512. The parties have conferred, and Petitioner does not oppose this motion.

**II. Statement of Facts Showing Good Cause for the Board to Recognize Counsel *Pro Hac Vice* During the Proceeding**

In accordance with 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 the Board may impose. Section 42.10(c) indicates that, “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 a showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.” The facts here establish good cause for the Board to recognize Amy K. Wigmore *pro hac vice* in this proceeding.

1. Lead counsel, Heather M. Petruzzi, is a registered practitioner. Backup counsel Laura Macro and Gabriel Rosanio are also registered practitioners.
2. Amy K. Wigmore is an experienced attorney who has an established familiarity with the subject matter at issue in the proceeding. Accompanying this

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motion as Exhibit 2154 is the Declaration of Amy K. Wigmore in Support of this Motion for Admission *Pro Hac Vice* ("Wigmore Decl."). In her declaration, Ms. Wigmore asserts:

I am a member in good standing of the Bars of the Commonwealth of Massachusetts and District of Columbia. I am admitted to practice before the U.S. District Courts for the District of Columbia, District of Colorado, and District of Massachusetts. I am also admitted to practice before the U.S. Court of Appeals for the Federal Circuit, the D.C. Circuit, and the Sixth Circuit, as well as the Supreme Court of the United States. I am also admitted to practice before the District of Columbia Court of Appeal, the Supreme Judicial Court of Massachusetts, and the United States Court of Appeals for Veterans Claims.

Wigmore Decl. ¶ 3 (Ex.2154). Ms. Wigmore also demonstrates that she has a detailed working knowledge of the relevant subject matter through both prior *inter partes review* experience and her familiarity with pharmaceutical technologies as a result of participation as counsel in related district court litigations on this patent as well as many prior pharmaceutical-related intellectual

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property cases on behalf of both Patent Owners, Bristol-Myers Squibb Co., as well as other pharmaceutical companies. Wigmore Decl. ¶¶ 5–6 (Ex.2154).

3. In her declaration, Ms. Wigmore also attests to each of the listed items required by the Order – Notice of Filing Date Accorded to Petition And Time For Filing Patent Owner Preliminary Response – 37 C.F.R. § 42.10(c) in IPR2023-00512. See Wigmore Decl. ¶ 10 (Ex.2154). Ms. Wigmore attests that she has read and will comply with the Patent Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 35 C.F.R. § 42. *Id.*, ¶ 11. Ms. Wigmore further attests that she agrees to be subject to the United States Patent and Trademark Office's Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.*, ¶ 12.

### III. Conclusion

For the foregoing reasons, and in view of the Declaration submitted herewith (Ex.2154), Patent Owner respectfully requests that the Board grant this motion and admit Ms. Wigmore *pro hac vice* in this proceeding. The undersigned authorizes the Office to charge \$250 to Deposit Account No. 08-0219 for the fees set forth in 37 C.F.R. § 42.15(e) for this *pro hac vice* motion. Please charge any shortage of fees or credit any overpayments to the above Deposit Account.

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Wigmore

Dated: October 31, 2023

Respectfully submitted,

/Heather M. Petruzzi/

Heather M. Petruzzi (Reg. No. 71,270)

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