

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG BIOEPIS CO., LTD.,

Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,

Patent Owner.

Case IPR2023-00884

U.S. Patent No. 11,253,572

**PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION OF ZACHARIAH SUMMERS UNDER 37 C.F.R. § 42.10(c)**

Pursuant to 37 C.F.R. § 42.10(c) Petitioner Samsung Bioepis Co., LTD. (“Petitioner”) hereby files this motion for Zachariah Summers to appear *pro hac vice* on its behalf before the Patent Trial and Appeal Board in this proceeding. As required by the Board’s Notice of Filing Date Accorded to Petition this motion for *pro hac vice* admission under 37 C.F.R. § 42.10(c) is being “filed in accordance with the ‘Order -- Authorizing Motion for *Pro Hac Vice* Admission’ in Case IPR2013-00639” (“IPR2013-00639 Order”) (Paper 7). Petitioner conferred with Patent Owner Regeneron Pharmaceuticals, Inc. (“Patent Owner”) and Patent Owner does not oppose the Motion for Admission *pro hac vice*.

I. 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, subject to the conditions set forth therein, and any others that the Board may impose. Petitioner sets forth these facts in support of this motion:

1. The undersigned contacted counsel for Patent Owner, Rebecca Weires, indicated that Patent Owner did not plan to oppose Mr. Summers’s admission *pro hac vice*.
2. Lead counsel for Petitioner in this matter, Raymond Nimrod, is a registered practitioner.

3. Accompanying this motion is Exhibit 1066, the Declaration of Zachariah Summers in Support of Motion for Admission *Pro Hac Vice* in this proceeding. In her declaration, Mr. Summers attests, among other things, that he is an attorney at Quinn Emanuel Urquhart & Sullivan, LLP and is an experienced litigator. He is admitted to and a member in good standing of the State Bar of New York and State Bar of California. Mr. Summers has been practicing law since 2008. He has had extensive experience litigating patent infringement cases over the past fifteen years, including experience drafting pleadings, expert discovery, and specialized patent-related proceedings such as *Markman* briefing and invalidity contentions.

4. Mr. Summers also has established familiarity with the subject matter at issue in this proceeding and related co-pending litigation. He has been involved with forming invalidity positions against U.S. Patent No. 11,253,572, the patent challenged in this IPR, and he has acquired a substantial understanding of the underlying legal and technological issues at stake in these proceedings. Mr. Summers has conducted a detailed review of the '572 Patent, the relevant prior art, and the prosecution history and related patents. In fact, a significant amount of Mr. Summers's time over the past year has been spent working on issues related to the '572 Patent, related patents, and Patent Owner's commercial product, Eylea®.

Therefore, Mr. Summers has significant experience with the subject matter of this proceeding.

II. Reasons for Granting the Motion

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 as the Board may impose.” 37 C.F.R. § 42.10(c). As set forth above, lead counsel in this proceeding, Raymond Nimrod, is a registered practitioner. Moreover, as set forth above and in the accompanying Summers declaration, Mr. Summers is a patent litigation attorney and has an established familiarity with the subject matter at issue in the proceeding.

III. Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Board admit Zachariah Summers *pro hac vice* in this proceeding.

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Petitioner's Power of Attorney Pursuant to 37 C.F.R. § 42.10(b) was served on January 4, 2024, to the following Counsel for Petitioner via email to Regeneron-MoFo-IPR@mofo.com.

Date: January 4, 2024

Respectfully submitted,

By: /s/ Raymond N. Nimrod
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