

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TEVA PHARMACEUTICALS USA, INC.,  
Petitioner,

v.

CORCEPT THERAPEUTICS, INC.,  
Patent Owner.

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PGR2019-00048  
Patent 10,195,214 B2

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Before JACQUELINE WRIGHT BONILLA, *Deputy Chief Administrative Patent Judge*, ROBERT A. POLLOCK, and DAVID COTTA, *Administrative Patent Judges*.

COTTA, *Administrative Patent Judge*.

ORDER  
Granting Petitioner's Motion for *Pro Hac Vice*  
Admission of Uma N. Everett  
*37 C.F.R. § 42.10*

Petitioner Teva Pharmaceuticals USA, Inc. (“Petitioner”) filed a motion for *pro hac vice* admission of Uma N. Everett (“Motion”) (Paper 10), accompanied by a Declaration of Ms. Everett in support of the Motion (“Declaration”) (Ex. 1061). Patent Owner has not opposed the Motion. For the reasons provided below, Petitioner’s Motion is *granted*.

Under 37 C.F.R. § 42.10(c), the Board may recognize counsel *pro hac vice* during a proceeding upon a showing of good cause. In authorizing a motion for *pro hac vice* admission, the Board requires the moving party to provide 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 the proceeding. *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”)).

In this proceeding, lead counsel for Petitioner, Deborah Sterling, Ph.D., a registered practitioner, filed the Motion. Mot. 4. In the Motion, Petitioner states there is good cause for the Board to recognize Ms. Everett *pro hac vice* during this proceeding because “Ms. Everett has substantial experience and expertise representing Teva in the concurrent litigation involving the ’214 patent.” *Id.*

In her Declaration, Ms. Everett attests that she has never been suspended or disbarred by any court or administrative body, has not been denied for admission to practice before any court or administrative body, and has not been sanctioned or cited for contempt by any court or administrative body (Dec. ¶¶ 3–5). Ms. Everett also states that she has read and will comply with the Office Patent Trial Practice Guide and the Board’s rules as set for in 37 C.F.R. § 42, and agrees to be subject to

the USPTO Rules of Professional Conduct and disciplinary jurisdiction under 37 C.F.R. § 11.19(a) (*id.* ¶¶ 14, 15).<sup>1</sup>

Based on the facts set forth in the Motion and the accompanying Declaration, Petitioner has established good cause for *pro hac vice* admission of Ms. Everett. Accordingly, Petitioner's Motion is *granted*.

We also note, a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) has not been submitted for Ms. Everett in this proceeding. Therefore, Petitioner must submit a Power of Attorney within ten (10) business days.

Accordingly, it is

ORDERED that the Petitioner's Motion for *pro hac vice* for Uma N. Everett is *granted*;

FURTHER ORDERED that, within ten (10) business days of the issuance of this Order, Petitioner shall submit a Power of Attorney for Ms. Everett in accordance with 37 C.F.R. § 42.10(b);

FURTHER ORDERED that Petitioner shall continue to have a registered practitioner represent it as lead counsel for this proceeding, but that Ms. Everett is authorized to represent Petitioner only as back-up counsel;

FURTHER ORDERED that Ms. Everett shall comply with the Office Patent Trial Practice Guide, as updated by the Office Patent Trial Practice Guide August 2018 Update, 83 Federal Register 39,989 (Aug. 13, 2018), and the July 2019

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<sup>1</sup> Ms. Everett indicates that she "will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations." Dec. ¶ 14. The Office Patent Trial Practice Guide and the Board's Rules are set forth in part 42 of 37 C.F.R. We deem this as harmless error.

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Update, 84 Fed. Reg. 33,925 (July 16, 2019), and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.; and

FURTHER ORDERED that Ms. Everett is subject to the Office's disciplinary jurisdiction under 37 C.F.R. § 11.19(a), and the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq.

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