

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CORPAK MEDSYSTEMS, INC. and HALYARD HEALTH, INC.,
Petitioners,

v.

KIRN MEDICAL DESIGN, L.L.C. and APPLIED MEDICAL
TECHNOLOGY, INC.,
Patent Owner.¹

Case IPR2017-00646
Patent 6,631,715 B2

Before PATRICK R. SCANLON, JAMES A. WORTH, and
JAMES J. MAYBERRY, *Administrative Patent Judges*.

SCANLON, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

¹ The Mandatory Notices provided by Applied Medical Technology, Inc. (“AMT”) identify Kirn Medical Design, L.L.C. (“Kirn”) as the owner of the ’715 patent and AMT as the exclusive licensee of the ’715 patent, and both entities as real parties-in-interest in this proceeding. Paper 5, 2. In addition, AMT has provided a statement from Kirn confirming that AMT is the exclusive licensee of the ’715 patent and consenting to AMT defending the ’715 patent in this proceeding. *Id.* at 5.

Corpak Medsystems, Inc. and Halyard Health, Inc. (“Petitioners”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claim 18 of U.S. Patent No. 6,631,715 B2 (Ex. 1001, “the ’715 patent”). The Petition designated Richard M. McDermott as lead counsel and Jitendra Malik, Ph.D. and Tasneem D. Delphry as backup counsel for Petitioners. Pet. 7.

On July 14, 2017, Petitioners filed a Motion to Withdraw as Counsel. Paper 8. The Board authorized the filing of this motion via email on July 7, 2017. Applied Medical Technology, Inc. (“AMT”), the exclusive licensee of the ’715 patent, did not oppose.

In their motion, Petitioners seek to withdraw Tasneem Delphry as backup counsel, as Ms. Delphry is no longer associated with Petitioners’ representative law firm. Paper 8, 1. Petitioners represent they “will continue to be represented by Lead Counsel Richard M. McDermott and Back-Up Counsel Jitendra Malik.” *Id.* Petitioners further represent the requested “withdrawal will not have an adverse effect on Patent Owner or otherwise delay the proceeding in this matter,” and they “have contacted opposing counsel, who has consented to the above-requested relief.”² *Id.* Petitioners also indicated that, should the Board grant their motion, they will update the Mandatory Notices and Power of Attorney accordingly. *Id.*

In consideration of the foregoing, it is hereby:

ORDERED that Petitioners’ Motion to Withdraw as Counsel (Paper 8) is *granted*.

² Presumably, Petitioners have obtained this consent from counsel for AMT, the exclusive licensee of the ’715 patent and authorized by patent owner Kirn to defend the ’715 patent in this proceeding.

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PETITIONER:

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