

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SANOFI-AVENTIS U.S. LLC, GENZYME CORP., and  
REGENERON PHARMACEUTICALS, INC.,  
Petitioner,

v.

IMMUNEX CORPORATION,  
Patent Owner.

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Case IPR2017-01879  
Patent 8,679,487 B2

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Before TINA E. HULSE, *Administrative Patent Judge*.

ORDER  
Granting Petitioner's Motion for *Pro Hac Vice* Admission of  
George W. Hicks, Jr.  
*37 C.F.R. § 42.10*

On April 4, 2019, Petitioner filed a Motion for Admission *Pro Hac Vice* of George W. Hicks, Jr. in the above-referenced proceeding. Paper 91. The Motion is supported by the Declaration of Mr. Hicks. Ex. 1053. Patent Owner has not opposed the Motion.

In accordance with 37 C.F.R. § 42.10(c), we 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 5, 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”).

The Board has reviewed the submissions and determined that the requirements of 37 C.F.R. § 42.10 have been met and there is good cause to admit Mr. Hicks *pro hac vice* in the proceeding.

Petitioner must submit a Power of Attorney for Mr. Hicks in accordance with 37 C.F.R. § 42.10(b) and must update its Mandatory Notices as required by 37 C.F.R. § 42.8(b)(3).

It is, therefore,

ORDERED that Petitioner’s motion for admission of George W. Hicks, Jr. *pro hac vice* is granted;

FURTHER ORDERED that, within seven business days of the date of this Order, Petitioner must submit a Power of Attorney for Mr. Hicks in accordance with 37 C.F.R. § 42.10(b);

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FURTHER ORDERED that Petitioner must file an updated mandatory notice identifying Mr. Hicks as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3);

FURTHER ORDERED that Mr. Hicks is authorized to represent Petitioner as back-up counsel only in the instant proceeding, and that Petitioner is to continue to have a registered practitioner represent it as lead counsel for the instant proceeding;

FURTHER ORDERED that Mr. Hicks is to comply with the Office Patent Trial Practice Guide as updated by the August 2018 Update, 83 Federal Register 39,989 (Aug. 13, 2018) and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37, Code of Federal Regulations; and

FURTHER ORDERED that Mr. Hicks is to be 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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