

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PHARMACOSMOS A/S,
Petitioner,

v.

AMERICAN REGENT, INC.,
Patent Owner.

PGR2020-00009
Patent 10,478,450 B2

Before ERICA A. FRANKLIN, JON B. TORNQUIST, and
JAMIE T. WISZ, *Administrative Patent Judges*.

WISZ, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Motions for *Pro Hac Vice* Admission
of Ryan P. Johnson, Vanessa Park-Thompson,
and So Yeon Choe
37 C.F.R. § 42.10

On February 4, 2020, Petitioner filed Motions for Admission *Pro Hac Vice* of Ryan P. Johnson, Vanessa Park-Thompson, and So Yeon Choe. Papers 7, 8, and 9 (collectively “Motions”). Petitioner also filed Declarations of Ryan P. Johnson (Ex. 1106), Vanessa Park-Thompson (Ex. 1107), and So Yeon Choe (Ex. 1108) in support of the Motions (collectively “Declarations”). Patent Owner has not filed an opposition to the Motions. For the reasons provided below, Petitioner’s Motions are *granted*.

Pursuant to 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. 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*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Johnson, Ms. Park-Thompson, and Ms. Choe each have sufficient legal and technical qualifications to represent Petitioner in this proceeding, and have demonstrated sufficient familiarity with the subject matter of this proceeding. Accordingly, Petitioner has established good cause for *pro hac vice* admission of Mr. Johnson, Ms. Park-Thompson, and Ms. Choe. Mr. Johnson, Ms. Park-Thompson, and Ms. Choe will be permitted to serve as back-up counsel only. *See* 37 C.F.R. § 42.10(c).

We note that Petitioner has filed a Power of Attorney including Mr. Johnson, Ms. Park-Thompson, and Ms. Choe in accordance with 37 C.F.R. § 42.10(b). Paper 2. Petitioner has also submitted Mandatory Notices identifying Mr. Johnson, Ms. Park-Thompson, and Ms. Choe as back-up counsel in accordance with 37 C.F.R. § 42.8(b)(3). Paper 1, 6.

Accordingly, it is:

ORDERED that Petitioner's Motions for *pro hac vice* admission of Mr. Ryan P. Johnson, Ms. Vanessa Park-Thompson, and Ms. So Yeon Choe are *granted*;

FURTHER ORDERED that Petitioner shall continue to have a registered practitioner represent it as lead counsel for this proceeding;

FURTHER ORDERED that Mr. Johnson, Ms. Park-Thompson, and Ms. Choe are authorized to represent Petitioner as back-up counsel only in this proceeding;

FURTHER ORDERED that Mr. Johnson, Ms. Park-Thompson, and Ms. Choe are to comply with the Office Patent Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019)), 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. Johnson, Ms. Park-Thompson, and Ms. Choe shall 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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