

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BECTON, DICKINSON AND COMPANY,
Petitioner,

v.

BAXTER CORPORATION ENGLEWOOD,
Patent Owner.

IPR2019-00119 (Patent 8,554,579 B2)
IPR2019-00120 (Patent 9,662,273 B2)
IPR2019-00121 (Patent 9,474,693 B2)¹

Before BARRY L. GROSSMAN, ROBERT A. POLLOCK,
MICHAEL L. WOODS, and PAUL J. KORNICZKY,
*Administrative Patent Judges.*²

KORNICZKY, *Administrative Patent Judge.*

ORDER

Granting Petitioner's Unopposed Motion to Withdraw Counsel
37 C.F.R. § 42.10

¹ We exercise our discretion to issue one Order to be filed in each of the above-listed proceedings. Parties are not authorized to use this format absent express permission of the Board.

² This is not a decision by an expanded panel of the Board.

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I. INTRODUCTION

In IPR2019-00119 (Patent 8,554,579 B2), IPR2019-00120 (Patent 9,662,273 B2), and IPR2019-00121 (Patent 9,474,693 B2), Becton, Dickinson and Company (“Petitioner”) filed, with prior authorization from the Board, substantively identical Motions to Withdraw Counsel. Paper 20 (“Motion”).³ The Motion requests the:

(a) withdrawal of presently designated Lead Counsel Mr. Kurt J. Niederluecke and Backup Counsel Messrs. Adam R. Steinert and Nikola L. Datzo;

(b) addition of Mr. Scott McKeown as new Lead Counsel; and

(c) addition of Mr. Kyle Tsui as new Backup Counsel. Motion 2. Petitioner has filed a new Power of Attorney and an Updated Mandatory Notice appointing Mr. McKeown as new Lead Counsel and Mr. Tsui as new Backup Counsel. Papers 21, 22; Motion 2. The Motion does not state whether Patent Owner opposes the Motion, but, in Petitioner’s June 21, 2019, email requesting permission to file the Motion, Petitioner represented that Patent Owner does not oppose the Motion.

Having shown good cause for the requested change of counsel, Petitioner’s Motion is *granted*.

³ For expediency, we cite to the papers filed in IPR2019-00121.

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II. ORDER

It is, therefore,

ORDERED that Mr. Kurt J. Niederluecke is withdrawn as Lead Counsel for Petitioner;

FURTHER ORDERED that Messrs. Adam R. Steinert and Nikola L. Datzon are withdrawn as Backup Counsel for Petitioner;

FURTHER ORDERED that Mr. Scott McKeown is designated as Lead Counsel for Petitioner; and

FURTHER ORDERED that Mr. Kyle Tsui is designated as Backup Counsel for Petitioner.

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