

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTAS PHARMACEUTICALS LTD.,
Petitioner

v.

ATOSSA THERAPEUTICS INC.,
Patent Owner

Case PGR2025-00043
Patent 12,071,391

**PATENT OWNER'S UNOPPOSED MOTION FOR
PRO HAC VICE ADMISSION OF HAN XU**

LIST OF EXHIBITS

Exhibit	Description
EX2001	ATOSSA THERAPEUTICS, INC. QUARTERLY REPORT FORM 10-Q (March 31, 2025)
EX2002	Atossa Therapeutics Proposes Potentially Groundbreaking Study Aimed at Reducing Interval Breast Cancer in High-Risk Women at AACR 2025 (April 29, 2025)
EX2003	Atossa Therapeutics Announces Plans to Pursue Metastatic Breast Cancer Indication for (Z)-Endoxifen and Continued Engagement with FDA on Additional Indications (March 11, 2025)
EX2004	Financials – Intas Pharmaceuticals Ltd., http://www.intaspharma.com/financials/
EX2005	Atossa Therapeutics Announces Issuance of Key U.S. Patent Covering Endoxifen (March 08, 2022)
EX2006	Efficacy and Safety of Endoxifen in Bipolar I Disorder Patients, NCT06608641 (Last Updated March 17, 2025), https://clinicaltrials.gov/study/NCT06608641
EX2007	Declaration of Sayem Osman
EX2008	Atossa Covenant Not to Sue
EX2009	Atossa Therapeutics Announces Full Results from Phase 2 KARISMA-Endoxifen Study Demonstrating Statistically Significant Reductions in Mammographic Breast Density (Dec. 11, 2024)
EX2010	Atossa Therapeutics Announces First Quarter 2025 Financial Results and Provides a Corporate Update (May 13, 2025)
EX2011	INTENTIONALLY OMITTED
EX2012	Breast Center Year in Review, An Unmet Need in HR-Positive Endocrine-Resistant Breast Cancer, <i>available at</i> https://jons-online.com/special-issues-and-supplements/2021/2021-year-in-review-breast-cancer/an-unmet-need-in-hr-positive-endocrine-resistant-breast-cancer
EX2013	ATOSSA THERAPEUTICS, INC. ANNUAL REPORT FORM 10-K for the Fiscal Year Ended December 31, 2024
EX2014	U.S. Patent No. 11,572,334
EX2015	Intas Requirements For Resolving Disputes With Atossa (FILED UNDER SEAL)

Exhibit	Description
EX2016	Default Protective Order
EX2017	<i>Intas Pharmaceuticals, Limited v. Atossa Therapeutics, Inc.</i> , IPR2025-00799, Pap.2 (Apr. 3, 2025)
EX2018	<i>Intas Pharmaceuticals, Limited v. Atossa Therapeutics, Inc.</i> , PGR2023-00043, Pap.1 (Aug. 18, 2023)
EX2019	Rishab Gupta & Swarndeeep Singh, <i>Endoxifen Approval for Bipolar in India, A Premature or a Pragmatic Decision?</i> , 43(1) J. CLINICAL PSYCHOPHARMACOLOGY 3 (2023)
EX2020	Zonalta, Why Zonalta?, https://zonalta.in/
EX2021	Atossa Therapeutics Granted Additional Patent Protection for Endoxifen (August 28, 2024)
EX2022	Declaration of Megan Raymond
EX2023	Corrected Covenant Not to Sue
EX2024	December 6, 2025 Collection of Email Communications with Intas's Counsel
EX2025	Declaration of Sayem Osman
EX2026	U.S. Patent No. 12,245,997
EX2027	Declaration of Jacob Berman
EX2028	Declaration of Han Xu

Pursuant to 37 C.F.R. § 42.10(c), Patent Owner Atossa Therapeutics, Inc. (“Atossa”) respectfully requests *pro hac vice* admission of Han Xu as counsel in this proceeding. Counsel for Petitioner, Intas Pharmaceuticals Ltd. (“Intas”), has informed counsel for Atossa that Intas does not oppose this Motion.

I. Time for Filing

This Motion is timely because it is being filed no sooner than twenty-one (21) days after service of the Petition in this proceeding, which occurred on April 3, 2025.

II. Statement of Facts

The following statement of facts demonstrates that there is good cause for the Board to recognize Han Xu as counsel *pro hac vice* in this proceeding.

Lead counsel for this proceeding, Megan Raymond, is a registered practitioner (Reg. No. 72,997).

Mr. Xu is an experienced litigation attorney. Mr. Xu has been practicing law for over 17 years and has extensive experience litigating patent infringement cases at all stages in many different District Courts across the country. Among his experience in patent litigation matters, Mr. Xu has been part of multiple trials, *Markman* hearings, patent appeals at the United States Court of Appeals for the Federal Circuit, and other patent-related hearings and pleadings concerning, *inter alia*, patent validity and infringement issues. EX2028, ¶ 9.

Mr. Xu is a member in good standing of the bars of the State of Massachusetts and the State of New York. *Id.* ¶ 1.

Mr. Xu has not been suspended or disbarred from practice before any court or administrative body, has never had any application for admission to practice denied, and has never had any sanctions or contempt citations imposed against him. *Id.* ¶¶ 2-4.

Mr. Xu has read and will comply with the Patent Trial and Appeal Board Consolidated Trial Practice Guide and the Board’s Rules for Practice for Trials set forth in Part 42 of Title 37 of the C.F.R. *Id.* ¶ 5.

Mr. Xu agrees to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq., and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶ 6.

In the last three years, Mr. Xu has not applied to appear *pro hac vice* in proceedings before the United States Patent and Trademark Office. *Id.* ¶ 7.

Mr. Xu has an established familiarity with U.S. Patent No. 12,071,391 (the “391 Patent”), the patented technology, and the specific subject matter in this proceeding. Since April 2025, he has been heavily involved with this proceeding, including in the analysis of the claim construction and invalidity issues raised by Intas. Mr. Xu has substantively participated in the analysis of the Petition, preparation of the Patent Owner’s Preliminary Response, analysis of the Institution

Decision, and preparation of Patent Owner's Response, and is thus familiar with the filings and various issues raised in this proceeding. *Id.* ¶ 8.

III. Declaration of Han Xu

As directed by the Board, this Motion is also accompanied by the Declaration of Han Xu in Support of Patent Owner's Unopposed Motion for *Pro Hac Vice* Admission.

For the foregoing reasons as well as the reasons contained in the attached declaration, Atossa respectfully submits that it has shown good cause for the Board to recognize Mr. Xu as counsel *pro hac vice* in this proceeding.

Dated: December 24, 2025

Respectfully submitted by:
/s/ Megan Raymond
Megan Raymond (Reg. No. 72,997)
J. Steven Baughman (Reg. No. 47,414)

Attorneys For Patent Owner
Atossa Therapeutics Inc.

CERTIFICATE OF PAGE COUNT

The undersigned certifies that the foregoing **PATENT OWNER'S UNOPPOSED MOTION FOR PRO HAC VICE ADMISSION OF HAN XU** PURSUANT TO 37 C.F.R. § 42.54 complies with the 15-page limitation in 37 C.F.R. §42.24(a)(1)(v).

Dated: December 24, 2025

Respectfully Submitted,
By: /s/ Megan Raymond
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF HAN XU UNDER 37 C.F.R. § 42.10(c) has been served in its entirety by causing the aforementioned document to be electronically mailed to the following attorneys of record for the Patent Owner listed below:

Petitioner's Counsel of Record:

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Dated: December 24, 2025

By: /Sayem Osman/
Sayem Osman