

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTAS PHARMACEUTICALS LTD.,
Petitioner,

v.

ATOSSA THERAPEUTICS, INC.,
Patent Owner.

IPR2025-00799 (Patent 11,261,151 B2)
PGR2025-00043 (Patent 12,071,391 B2)¹

Before SHERIDAN K. SNEDDEN, CHRISTOPHER C. KENNEDY, and
JAMIE T. WISZ, *Administrative Patent Judges*.

SNEDDEN, *Administrative Patent Judge*.

ORDER

Granting Patent Owner's Motions for *Pro Hac Vice* Admission of
Jacob M. Berman, Han Xu, and Hayley R. LeBlanc
37 C.F.R. § 42.10

¹ The combined caption is for administrative convenience only. The parties are not authorized to use this caption without express permission of the Board.

IPR2025-00799 (Patent 11,261,151 B2)
PGR2025-00043 (Patent 12,071,391 B2)

Patent Owner filed motions requesting *pro hac vice* admission of Jacob M. Berman, Han Xu, and Hayley R. LeBlanc in each of the above-identified proceedings (collectively “Motions”). Papers 27, 28, 29.² Patent Owner also submitted declarations from Mr. Berman, Mr. Xu, and Ms. LeBlanc in support of the Motions in each proceeding (collectively “Declarations”). Exs. 2027, 2028, 2029. Patent Owner indicates Petitioner does not oppose the Motions. Paper 27, 1; Paper 28, 1; Paper 29, 1.

For the reasons provided below, Patent Owner’s Motions are *granted*.

In accordance with 37 C.F.R. § 42.10(c)(1), 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 5, 3–4.

Based on the facts set forth in the Motions and the accompanying Declarations, we conclude that Mr. Berman, Mr. Xu, and Ms. LeBlanc have sufficient litigation experience and legal familiarity with the subject matter of these proceedings, and meet all other requirements for admission *pro hac vice*. Accordingly, Patent Owner has established good cause for *pro hac vice* admission of Mr. Berman, Mr. Xu, and Ms. LeBlanc.

We remind Patent Owner that our rules require filing updated Mandatory Notices “within 21 days of a change of the information”

² For expediency, we cite to papers in IPR2025-00799. Similar papers were filed in PGR2025-00043.

IPR2025-00799 (Patent 11,261,151 B2)
PGR2025-00043 (Patent 12,071,391 B2)

regarding Patent Owner's representation by counsel. 37 C.F.R. §§
42.8(a)(c), (b)(3).

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motions for *pro hac vice* admission
of Jacob M. Berman, Han Xu, and Hayley R. LeBlanc are *granted*;

FURTHER ORDERED that Patent Owner is to continue to have a
registered practitioner represent it as lead counsel for each proceeding;

FURTHER ORDERED that Mr. Berman, Mr. Xu, and Ms. LeBlanc
are authorized to represent Patent Owner as back-up counsel only in these
proceedings;

FURTHER ORDERED that Mr. Berman, Mr. Xu, and Ms. LeBlanc
be familiar with the Patent Trial and Appeal Board Consolidated Trial
Practice Guide³ (84 Fed. Reg. 64,280 (Nov. 21, 2019)), and comply with 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. Berman, Mr. Xu, and Ms. LeBlanc
are 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.*

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

IPR2025-00799 (Patent 11,261,151 B2)
PGR2025-00043 (Patent 12,071,391 B2)

FOR PETITIONER:

Alejandro Menchaca
Ben Mahon
Amanda Jackson
MCANDREWS, HELD & MALLOY, LTD.
amenchaca@mcandrews-ip.com
bmahon@mcandrews-ip.com
ajackson@mcandrews-ip.com

FOR PATENT OWNER:

Megan Raymond
Jon Baughman
GROOMBRIDGE, WU, BAUGHMAN & STONE LLP
megan.raymond@groombridgewu.com
steve.baughman@groombridgewu.com