

Filed: January 10, 2019

On behalf of **Illumina Inc.**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**ILLUMINA, INC.**

Petitioner

v.

THE TRUSTEES OF COLUMBIA UNIVERSITY  
IN THE CITY OF NEW YORK

Patent Owner

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IPR2018-00322  
Patent 9,708,358

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**UNOPPOSED MOTION FOR EDWARD R. REINES TO APPEAR  
PRO HAC VICE ON BEHALF OF ILLUMINA, INC.**

**I. STATEMENT OF THE PRECISE RELIEF REQUESTED**

Pursuant to the Board’s January 10, 2018 Notice of Filing Date Accorded (Paper 5) and 37 C.F.R. §§ 42.10(c) and 42.22, Petitioner Illumina, Inc. (“Illumina”) hereby moves for an Order allowing Edward R. Reines of Weil, Gotshal & Manges LLP to appear *pro hac vice* on behalf of Illumina in the above-captioned case. Petitioner Illumina has conferred with counsel for Patent Owner The Trustees of Columbia University in the City of New York (“Columbia”), and Columbia does not oppose Illumina’s motion to allow Mr. Reines to appear *pro hac vice* in this matter.

**II. LIST OF EXHIBITS RELIED UPON FOR THIS MOTION**

Illumina Exhibit 1088 - Declaration of Edward R. Reines in Support of Motion to Appear *Pro Hac Vice* on Behalf of Illumina, Inc..

**III. REASONS THE REQUESTED RELIEF SHOULD BE GRANTED**

As set forth below in the Statement of Material Facts, Illumina has made all of the showings required under 37 C.F.R. § 42.10(c) for recognizing Mr. Reines *pro hac vice*. In particular, Mr. Reines is an experienced litigating attorney who has represented clients in numerous patent litigation cases in various United States District Courts and the Court of Appeals for the Federal Circuit, including technically and legally complex matters such as will be present in this proceeding. Accordingly, allowing Mr. Reines to appear *pro hac vice* on behalf of Illumina is appropriate in this proceeding.

#### IV. STATEMENT OF MATERIAL FACTS

1. 37 C.F.R. § 42.10(c) provides that “[t]he 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 and to any other conditions as the Board may impose. For example, where the lead counsel is a registered practitioner, a motion to appear *pro hac vice* by counsel who is not a registered practitioner may be granted upon showing that counsel is an experienced litigating attorney and has an established familiarity with the subject matter at issue in the proceeding.”

2. Lead counsel in this *inter partes* review proceeding is Kerry S. Taylor. Mr. Taylor is registered to practice before the United States Patent and Trademark Office and holds Registration No. 43,947.

3. As set forth in Illumina Exhibit 1088 (the “Reines Declaration”), Mr. Reines is an experienced litigating attorney and has an established familiarity with the subject matter at issue in this proceeding. Reines Decl. ¶ 4. In particular, Mr. Reines has over 25 years of experience as a patent litigator and has represented clients in numerous patent litigation cases in various United States District Courts and the Court of Appeals for the Federal Circuit. *Id.* ¶¶ 1-3. In addition, Mr. Reines has experience in *inter partes* review proceedings, for example, IPR2014-01093, IPR2017-01170, IPR2017-01447, IPR2017-01448, IPR2015-01156, IPR2015-

01157, IPR2015-01158, IPR2015-01162, IPR2015-01163, IPR2015-01558, IPR2015-01560 and IPR2018-00665. *Id.* ¶ 3.

4. Further, Mr. Reines is experienced with technically and legally complex matters in the Life Sciences. *Id.* ¶ 2

5. With regard to U.S. Patent 9,708,358 (“the ’358 patent”), the patent at issue in this proceeding, Mr. Reines is familiar with the ’358 patent, and with the legal subject matter, technical subject matter, and prior art discussed in the petition for *inter partes* review of the ’358 patent *Id.* ¶ 4. In view of his legal experience, technical background, and familiarity with the issues in the present matter and the related matters, Petitioner Illumina, Inc., has requested his services in the present matter. Denial of his appearance in this case would create an undue burden on Petitioner. *Id.*

6. Mr. Reines has read and will comply with the Office Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in Part 42 of Title 37 of the C.F.R. *Id.* ¶ 10. Mr. Reines also agrees to be subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.*, and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* ¶ 11.

7. Finally, Mr. Reines has attested to the remaining elements of Paragraph 2(b) of the representative “Order – Authorizing Motion for *Pro Hac Vice*

Admission” in Case IPR2013-00639, Paper 7. *Id.* ¶¶ 4-11; *see* Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper 5) at 2.

## V. CONCLUSION

In view of the foregoing, and having satisfied the requirements of 37 C.F.R. § 42.10(c), Illumina hereby moves for an Order allowing Edward R. Reines of Weil, Gotshal & Manges LLP to appear *pro hac vice* on behalf of Illumina in the above-captioned case.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 10, 2019

By: /Kerry Taylor/  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **UNOPPOSED MOTION FOR EDWARD R. REINES TO APPEAR PRO HAC VICE ON BEHALF OF ILLUMINA, INC.** is being served on January 10, 2019, via e-mail, pursuant to agreement of the parties, to counsel for The Trustees of Columbia University in the City of New York, at the addresses below:

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