

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

10X GENOMICS, INC.,
Petitioner,

v.

BIO-RAD LABORATORIES, INC.,
Patent Owner.

Case IPR2020-00086
Patent 9,562,837

**PETITIONER 10X GENOMICS, INC.'S UNOPPOSED MOTION FOR
PRO HAC VICE ADMISSION UNDER 37 C.F.R. § 42.10(c)**

Pursuant to 37 C.F.R. § 42.10(c), Petitioner 10X Genomics, Inc. ("10X") respectfully requests that the Board recognize Azra Hadzimehmedovic as counsel *pro hac vice* in this proceeding. Petitioner seeks the counsel of Ms. Hadzimehmedovic due to her familiarity with the Bio-Rad patent and prior art identified in the Petition in this proceeding based on her representation of 10X before the U.S. District Court for the District of Massachusetts, U.S. District Court for the District of Delaware, International Trade Commission, as well as her experience in representing clients in patent cases in major patent venues, including U.S. District Courts, the U.S. Court of Appeals for the Federal Circuit, the International Trade Commission, and the International Chamber of Commerce, and would like Ms. Hadzimehmedovic to participate in the trial of this *inter partes* review proceeding. This motion is authorized by the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper No. 4) that was mailed on October 29, 2019 ("Notice").

Patent Owner has confirmed that it will not oppose this motion.

I. GOVERNING RULES AND PRECEDENT

37 C.F.R. § 42.10(c) provides:

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 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.

The Board has specified that motions under 37 C.F.R. § 42.10(c) should be filed “in accordance with the ‘Order -- Authorizing Motion *for Pro Hac Vice* Admission’ in Case IPR2013-00639, Paper 7.” Notice at 2. That Order states that the motion must “[c]ontain a statement of facts showing there is good cause for the Board to recognize counsel *pro hac vice* during the proceeding” and that it must “[b]e accompanied by an affidavit or declaration of the individual seeking to appear” that attests to the facts specified in the Order. *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper No. 7 (P.T.A.B. Oct. 15, 2013) (“*Unified Patents Order*”).

The statement of facts that follows shows there is good cause for the Board to recognize Ms. Hadzimehmedovic as counsel *pro hac vice* during this proceeding. This Motion for *Pro Hac Vice* Admission is accompanied by the required Declaration of Ms. Hadzimehmedovic that includes the facts specified in the *Unified Patents Order*.

II. STATEMENT OF FACTS

Petitioner's lead counsel, Samantha A. Jameson, is a registered practitioner (Reg. No. 57,609). Backup counsel Gina Cremona (Reg. No. 74,844) and Daniel Radke (Reg. No. 69,820) are also registered practitioners.

Ms. Hadzimehmedovic is an experienced patent litigation attorney with nearly fifteen years of experience representing clients in patent cases involving numerous technologies. Ms. Hadzimehmedovic has experience as a patent litigator before the U.S. District Courts, the International Trade Commission, and the United States Court of Appeals for the Federal Circuit. Through her practice in such cases, Ms. Hadzimehmedovic has gained substantial experience in patent litigation including jury trials, bench trials, fact discovery, expert discovery, *Markman* hearings, trials before administrative law judges, and appeals before the Federal Circuit. Petitioner provides Exhibit A, Ms. Hadzimehmedovic's biography, as evidence.

Ms. Hadzimehmedovic is a member in good standing of the State Bar of California, the Bar of the District of Columbia, and the State Bar of Virginia. Ms. Hadzimehmedovic has never been suspended or disbarred from practice before any court or administrative body and has never had an application for admission to practice before any court or administrative body denied. Also, no sanction or contempt citation has been imposed against Ms. Hadzimehmedovic by any court or

administrative body. Ms. Hadzimehmedovic has read and agrees to comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations, and will be subject to the USPTO 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). Ms. Hadzimehmedovic's previous *pro hac vice* motions in Proceeding Nos. IPR2019-00565, IPR2019-00566, IPR2019-00567, and IPR2019-00568 filed in the last three years have been granted. Ms. Hadzimehmedovic is now concurrently applying to appear in Proceeding Nos. IPR2020-00087, IPR2020-00088, and IPR2020-00089.

Ms. Hadzimehmedovic also has an established familiarity with the subject matter at issue in this *inter partes* review proceeding, including the substantive and technical issues involved. Ms. Hadzimehmedovic represents 10X Genomics, Inc., the Petitioner in this proceeding, in the U.S. District Court for the District of Delaware, Case No. 18-1679-RGA, which involves the same patent (U.S. Patent No. 9,562,837) and the same references identified in the Petition in this proceeding as the grounds for challenge. Ms. Hadzimehmedovic represented 10X Genomics, Inc., the Petitioner in this proceeding, in the U.S. District Court for the District of Delaware, Case No. 15-152-RGA, where Bio-Rad asserted U.S. Patent No. 7,129,091 (the 091 Ismagilov patent), which is one of the prior art references relevant to this IPR, and where other art, such as the Thorsen Thesis, also relevant

to related petitions, was at issue. She also represents 10X in the U.S District Court for the District of Massachusetts, Case No, 19-CV-12533, that involves similar art. Likewise, Ms. Hadzimehmedovic was trial counsel for Petitioner in Investigation No. 337-TA-1100 in the International Trade Commission, which addressed art from the same field. Ms. Hadzimehmedovic has reviewed and considered the Petition and supporting exhibits, the art presented in the Petition, the Patent Owner's Preliminary Response and supporting exhibits, and U.S. Patent No. 9,562,837. Should the present motion be granted, Petitioner intends for Ms. Hadzimehmedovic to participate in the trial of this IPR proceeding.

III. CONCLUSION

Accordingly, Petitioner submits that there is good cause under 37 C.F.R. § 42.10(c) for the Board to recognize Ms. Hadzimehmedovic as counsel *pro hac vice* during this proceeding.

Dated: May 13, 2020

Respectfully submitted,

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IPR2020-00086 (U.S. Patent No. 9,562,837)
Petitioner's Motion for *Pro Hac Vice*

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Counsel for Petitioner
10X Genomics, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 13, 2020, copies of the foregoing were served via Electronic Mail to the following:

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EXHIBIT A

[Our History \(/ourhistory\)](#)

Partners > (/partners)

[Associates \(/associates\)](#)



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Azra Hadzimehmedovic brings extensive experience litigating complex patent cases in U.S. district courts, the ITC, and the International Chamber of Commerce. She has litigated significant patent matters for industry-leading technology companies in diverse technology areas, including computers; semiconductor devices, processing, and packaging; software; pharmaceuticals; Wi-Fi- and location services; content delivery network services; and medical devices. Prior to joining Tensegrity Law Group LLP in 2011, Ms. Hadzimehmedovic was a litigation associate at Weil, Gotshal & Manges LLP.

Prior to practicing law, Ms. Hadzimehmedovic worked as a scientist and technical editor for the United States Pharmacopeia, an official standards-setting authority for medicines and other health-care products. At Berkeley, she received the Stephen Finney Jamison Award, as the top graduating student who had best combined and demonstrated attributes of scholarship and advocacy.

Ms. Hadzimehmedovic is fluent in English and Bosnian.

ADMISSIONS AND QUALIFICATIONS

2005, California

2007, District of Columbia

2019, Virginia

California Supreme Court

United States District Court for the Northern District of California

United States District Court for the Western District of Wisconsin

United States District Court for the Central District of California

United States District Court for the Eastern District of Texas

United States Court of Appeals for the Federal Circuit

United States Court of Federal Claims

EDUCATION

Berkeley Law, J.D. (2005)

Florida International University, B.S., Chemistry (1997)

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DISCLAIMERS (/DISCLAIMER)

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