

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

DANA-FARBER CANCER INSTITUTE, INC.,  
Petitioner

v.

Bristol-Myers Squibb Company,  
Patent Owner

---

Case: IPR2023-00249  
Patent No. 10,323,092 B2

---

**PETITIONER DANA-FARBER CANCER INSTITUTE, INC.’S  
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION OF  
KATHERINE A. HELM, J.D., PH.D.**

Pursuant to 37 C.F.R. § 42.10(c), the Board's Notice of Filing Date Accorded (authorizing this motion), and the representative order *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639, Paper 7 (PTAB Oct. 15, 2013) (concerning the content of a motion for pro hac vice admission), the Petitioner respectfully requests that the Board recognize Katherine A. Helm as counsel *pro hac vice* in this proceeding. Patent Owner has indicated it will not oppose this motion.

### **Statement of Facts**

1. Counsel, Katherine A. Helm, is counsel to Petitioner Dana-Farber Cancer Institute, Inc. ("Petitioner"), as set forth in Petitioner's Exhibit 1071. EX1071, ¶1. Dr. Helm has been providing Petitioner with privileged legal advice in connection with U.S. Patent No. 10,323,092 ("the '092 patent") and related patents, in connection with co-pending district court litigation between the parties to this proceeding. *Id.*

2. Dr. Helm is partner in the law firm of Dechert LLP and a member of the Litigation Department and the Intellectual Property Group in the New York Office. *Id.* at ¶2. She have been practicing law as a litigator and trial lawyer for over fifteen years, appearing and acting as counsel in numerous

litigation matters before various U.S. District Courts and U.S. Courts of Appeals, including arguing appeals as lead counsel before the U.S. Courts of Appeals for the Federal Circuit and the Fourth Circuit. *Id.* at ¶2. The majority of these cases have been within the field of intellectual property and, particularly, patent litigation, in the pharmaceutical and biologics industries. *Id.* at ¶2.

3. Dr. Helm is a member in good standing in all jurisdictions and courts where I have been admitted to practice. *Id.* at ¶3. This includes the bars in the State of New York, the Commonwealth of Massachusetts, and the District of Columbia, as well as the following courts: the Supreme Court of the United States, the United States Court of Appeals for the Federal Circuit, the United States Courts of Appeals for the Second Circuit, the Third Circuit, the Fourth Circuit, and the Ninth Circuit, as well as United States Court of Appeals for Veterans Claims, the United States District Courts for the Southern and Eastern Districts of New York, and the United States District Court for the District of Massachusetts. *Id.*

4. Dr. Helm holds a doctorate in a biological science (neuroscience) and spent five years prior to and during law school working as a technical advisor in the Intellectual Property Group of a large New York law firm, where I focused on pharmaceutical and biotechnology patent prosecution,

patent litigation and patent counseling. *Id.* at ¶4. She has also worked on a variety of contested proceedings before various patent offices, including interferences before the United States Patent and Trademark Office (“USPTO”) Board of Appeals and Interferences, inter partes reviews (“IPRs”) and post grant reviews (“PGRs”) before the USPTO’s Patent Trial and Appeal Board (“PTAB”), oppositions before the Opposition Division of the European Patent Office, and opposition appeals before the European Patent Office Technical Boards of Appeal. *Id.* Each of these contested proceedings involved patents relating to products in the pharmaceutical industry. *Id.*

5. Given Dr. Helm’s current role as counsel for Petitioner in various patent matters, Dr. Helm has carefully reviewed, developed an extensive familiarity with, and acquired a substantial understanding of the ’092 patent and file history, as well as related patents in the family, the legal subject matter, the factual and technical subject matter, and the prior art and expert testimony presented in Petitioner’s request for inter partes review of the ’092 patent, which forms the basis of this proceeding. *Id.* at ¶¶ 5-6.

6. Dr. Helm 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 37 C.F.R. *Id.* at ¶11. Dr. Helm also agrees to be subject to the USPTO Code of

Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a). *Id.* at ¶ 12.

7. Finally, Dr. Helm has attested to the remaining elements of paragraph 2(b) of the Representative Order. *Id.* at ¶¶ 8-10. Namely, Dr. Helm is a member in good standing of the Bars of the States of New York, Massachusetts, and the District of Columbia, and all courts before which she is admitted to practice, including the Supreme Court of the United States, the United States Court of Appeals for the Federal Circuit, the United States Court of Appeals for the Second Circuit, Third Circuit, Fourth Circuit, and Ninth Circuit, United States Court of Appeals for Veterans Claims, the United States District Courts for the Southern and Eastern Districts of New York, and United States District Court for the District of Massachusetts. *Id.* at ¶3. Dr. Helm has never been suspended, disbarred or sanctioned by a court or administrative body. *Id.* at ¶ 9. She has never had a court or administrative body deny her application for admission to practice. *Id.* at ¶8. She has never been sanctioned or cited for contempt by any court or administrative body. *Id.* at ¶10.

8. Petitioner's lead counsel, Amanda K. Antons, is registered to practice before the United States Patent and Trademark Office ("USPTO") and holds Registration No. 65,236.

Accordingly, good cause exists for the granting of this motion, and

Petitioner respectfully requests that Katherine A. Helm be admitted *pro hac vice*.

Dated: February 3, 2023

Respectfully submitted,

/Amanda K. Antons/

Amanda K. Antons, Reg. No. 65,236

amanda.antons@dechert.com

DECHERT LLP

35 W Wacker Drive

Suite 3400

Chicago, IL 60601-1608

Telephone: 312-646-5822

Facsimile: 312-646-5858

*Attorneys for Petitioner Dana-Farber Cancer  
Institute, Inc.*

**CERTIFICATE OF SERVICE**

I certify that today in

*Dana-Farber Cancer Institute, Inc. v. Bristol-Myers Squibb Co.*, IPR2023-00249

I caused to be served a copy of:

Motion for *Pro Hac Vice* Admission of Katherine A. Helm  
Accompanying Exhibit 1071  
Certificate of Service

upon:

Bristol-Myers Squibb Company c/o:  
AKIN GUMP STRAUSS HAUER & FELD LLP  
Steven D. Maslowski (smaslowski@akingump.com)  
Matt Person (mpearson@akingump.com)  
Rachel J. Elsby (relsby@akingump.com)  
Jason Weil (jweil@akingump.com)  
BMS-DF-IPR@akingump.com

via:

electronic service to the email addresses above.

Dated: February 3, 2023

Respectfully submitted,

/Amanda K. Antons/  
Amanda K. Antons (Reg. No. 65,236)  
amanda.antons@dechert.com  
DECHERT LLP  
35 W Wacker Drive  
Suite 3400  
Chicago, IL 60601-1608  
Telephone: 312-646-5822  
Facsimile: 312-646-5858

*Attorneys for Petitioner Dana-Farber  
Cancer Institute, Inc.*