

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTAS PHARMACEUTICALS LTD.,  
Petitioner,

v.

ATOSSA THERAPEUTICS, INC.,  
Patent Owner.

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PGR2023-00043  
Patent 11,572,334 B2

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Before SHERIDAN K. SNEDDEN, TINA E. HULSE, and  
JAMIE T. WISZ, *Administrative Patent Judges*.

HULSE, *Administrative Patent Judge*.

ORDER  
Granting Patent Owner's Motion for  
Admission *Pro Hac Vice* of Susan M. Krumplitsch  
37 C.F.R. § 42.10

On November 30, 2023, Patent Owner filed a Motion for *Pro Hac Vice* Admission of Susan M. Krumplitsch in the above-identified proceeding. Paper 8 (“Motion”). The Motion is supported by a Declaration of Ms. Krumplitsch. Ex. 2019 (“Declaration”). Patent Owner represents that Petitioner does not oppose the Motion. Motion 3.

In accordance with 37 C.F.R. § 42.10(c), we 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. The representative Order authorizing motions for *pro hac vice* admission requires a statement of facts showing there is good cause for us to recognize counsel *pro hac vice*, and an affidavit or declaration of the individual seeking to appear. See Paper 3, 2 (citing *Unified Patents, Inc. v. Parallel Iron, LLC*, IPR2013-00639 (PTAB Oct. 15, 2013) (Paper 7) (representative “Order – Authorizing Motion for *Pro Hac Vice* Admission”)).

Based on the facts set forth in the Motion and the accompanying Declaration, we determine that all requirements for admission *pro hac vice* have been met and there is good cause to admit Ms. Krumplitsch *pro hac vice*.

We note that a Power of Attorney in accordance with 37 C.F.R. § 42.10(b) and an updated mandatory notice in accordance with 37 C.F.R. § 42.8(b)(3) identifying Ms. Krumplitsch as back-up attorney have been submitted.

Accordingly, it is

ORDERED that Patent Owner’s Motion for *Pro Hac Vice* Admission of Susan M. Krumplitsch in this proceeding is *granted*;

FURTHER ORDERED that Patent Owner continue to have a registered practitioner represent it as lead counsel in this proceeding, but that Ms. Krumplitsch is authorized to act as back-up counsel;

FURTHER ORDERED that Ms. Krumplitsch comply with the Consolidated Trial Practice Guide (84 Fed. Reg. 64,280 (Nov. 21, 2019))<sup>1</sup> and 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 Ms. Krumplitsch is 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.

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<sup>1</sup> Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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