

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DR. FALK PHARMA GMBH,  
Petitioner,

v.

ELLODI PHARMACEUTICALS, L.P.,  
Patent Owner.

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IPR2024-01197  
Patent 8,771,729 B2

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Before JOHN. G. NEW, ZHENYU YANG, and TAWEN CHANG,  
*Administrative Patent Judges.*

CHANG, *Administrative Patent Judge.*

ORDER

Granting Patent Owner's Motion Requesting Acceptance of Submission of  
Patent Owner's Request for Adverse Judgment and Motion to Terminate  
Filed under Board's Alternative Means  
*37 C.F.R. § 42.6(b)(2)(i)*

On October 24, 2025, Patent Owner filed a motion requesting acceptance of its submission of (1) Request for Adverse Judgment and Motion to Terminate, (2) updated Exhibit List, and (3) accompanying exhibit(s), filed via the Board’s alternative filing method (“Motion”). Paper 38. Patent Owner explains that, on October 23, 2025, it attempted to file the above-listed documents via the Board’s P-TACTS filing system, but was unable to do so because the system was not available. Mot. 1. Patent Owner represents that it followed the Board’s alternative filing procedure by completing e-mail service of the documents on Petitioner’s counsel and notifying the Board of the e-mail service. *Id.* at 1–2; *see also* Ex. 3006. Patent Owner requests that we accept Patent Owner’s Request for Adverse Judgment and Motion to Terminate, the updated Exhibit List, and accompanying exhibit(s) and accord October 23, 2025 as the filing date for these documents. Mot. 2. Petitioner does not oppose the Motion. Ex. 3007.

Under these circumstances, we grant Patent Owner’s Motion, and Patent Owner’s Request for Adverse Judgment and Motion to Terminate, updated Exhibit List, and accompanying exhibit(s) shall be accorded a filing date of October 23, 2025.

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner's Motion Requesting Acceptance of Submission of Patent Owner's Request for Adverse Judgment and Motion to Terminate Filed under Board's Alternative Means is *granted*; and

FURTHER ORDERED that Patent Owner's Request for Adverse Judgment and Motion to Terminate (Paper 36), updated Exhibit List (Paper 37), and accompanying exhibit (Exhibit 2026) are accorded a filing date of October 23, 2025.

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