

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BIOFRONTERA INC., BIOFRONTERA BIOSCIENCE GMBH,
BIOFRONTERA PHARMA GMBH, and BIOFRONTERA AG
Petitioner,

v.

SUN PHARMACEUTICAL INDUSTRIES, INC.
Patent Owner.

Case No. IPR2024-01312
Patent 11,697,028

PETITIONER’S UPDATED EXHIBIT LIST¹

¹ Filed pursuant to the Board’s email authorization issued on February 18, 2026. *See* Ex. 3001.

PETITIONER’S EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 11,697,028 by Thomas Boyajian et al. entitled “Adjustable Illuminator for Photodynamic Therapy and Diagnosis” (“’028 Patent”)
1002	File History for U.S. Patent No. 11,697,028 provided in Application No. 17/942,353
1003	Reserved
1004	U.S. Patent Publication No. 2005/0075703 by Eric Larsen entitled “Photodynamic Stimulation Device and Methods” (“Larsen”)
1005	U.S. Patent Publication No. 2004/0068305 by Vineet Bansal et al. entitled “Phototherapy System and Device” (“Bansal”)
1006	Reserved
1007	Reserved
1008	U.S. Patent No. 7,033,381 (“Lundahl ’381”)
1009	Office Action dated March 23, 2021, from file history of Application No. 17/009,871
1010	Office Action dated October 25, 2021, from file history of Application No. 16/791,004
1011	WO 99/56827 by Scott Lundahl et al. entitled “Illuminator for Photodynamic Therapy”
1012	Reserved
1013	U.S. Patent No. 11,179,574 by Thomas Boyajian et al. entitled “Method of administering 5-aminolevulinic acid (ALA) to a patient”
1014	U.S. Patent No. 6,223,071 (“Lundahl”)
1015	Declaration of Dr. Robert Grove
1016	Declaration of Dr. Michael Ehrenreich
1017	U.S. Pat. No. 5,079,262 (“Kennedy”)
1018	Complaint filed in <i>Sun Pharmaceutical Industries, Inc. v. Biofrontera Bioscience GmbH, Biofrontera Pharma GmbH, Biofrontera AG, and Biofrontera Inc.</i> , Civil Action No. 1:24-cv-11637 (D. Mass) (filed on June 25, 2024)
1019	Plaintiff’s Infringement Contentions submitted as Exhibit 4 attached to complaint filed in <i>Sun Pharmaceutical Industries, Inc. v. Biofrontera Bioscience GmbH, Biofrontera Pharma GmbH,</i>

Exhibit No.	Description
	<i>Biofrontera AG, and Biofrontera Inc.</i> , Civil Action No. 1:24-cv-11637 (D. Mass) (filed on June 25, 2024)
1020	<i>In Re Certain Photodynamic Therapy Systems, Components Thereof, And Pharmaceutical Products Used In Combination With The Same</i> , Investigation No. 337-TA-1411 (complaint filed on June 25, 2024)
1021	Agostinis et. al., <i>Photodynamic Therapy of Cancer: An Update</i> , <i>CA Cancer J Clin.</i> Author manuscript; available in PMC 2012 July 1 (also published in final edited form at <i>CA Cancer J Clin.</i> 2011 ; 61(4): 250–281)
1022	Levulan® Kerastick® (aminolevulinic acid HCl) for Topical Solution, 20% Initial U.S. Approval: 1999, Revised 3/2010
1023	Michael H. Gold, <i>Therapeutic and Aesthetic Uses of Photodynamic Therapy, Part Two of a Five-Part Series, Lasers and Light Treatments for Acne Vulgaris, Promising Therapies</i> , <i>Journal of Clinical and Aesthetic Dermatology</i> , Vol. 1(3), pp. 28-34 (September 2008)
1024	Declaration of Brian Larivee in Support of Pro Hac Vice Motion
1025	Declaration of Chad Landmon in Support of Pro Hac Vice Motion
1026	Supplemental Declaration of Dr. Robert Grove
1027	Deposition Transcript of Nan Marie Jokerst, Ph.D., taken July 22, 2025
1028	Deposition Transcript of Heather J. Roberts, M.D., FAAD, taken July 25, 2025
1029	Deposition Transcript of Thomas D. Vander Veen, Ph.D., taken July 29, 2025
1030	Complainant’s Post-Hearing Brief (Public Version) filed in <i>In Re Certain Photodynamic Therapy Systems, Components Thereof, And Pharmaceutical Products Used In Combination With The Same</i> , Investigation No. 337-TA-1411
1031	Trial Transcript Day 3 (Open Sessions) for <i>In Re Certain Photodynamic Therapy Systems, Components Thereof, And Pharmaceutical Products Used In Combination With The Same</i> , Investigation No. 337-TA-1411
1032	Trial Transcript Day 4 (Open Sessions) for <i>In Re Certain Photodynamic Therapy Systems, Components Thereof, And</i>

Exhibit No.	Description
	<i>Pharmaceutical Products Used In Combination With The Same</i> , Investigation No. 337-TA-1411
1033	Trial Transcript Day 2 (Open Sessions) for <i>In Re Certain Photodynamic Therapy Systems, Components Thereof, And Pharmaceutical Products Used In Combination With The Same</i> , Investigation No. 337-TA-1411
1034	Notice of a Commission Determination to Review in Part a Final Initial Determination Finding a Violation of Section 337; Request for Written Submission on Remedy, the Public Interest, and Bonding, issued <i>In Re Certain Photodynamic Therapy Systems, Components Thereof, And Pharmaceutical Products Used In Combination With The Same</i> , Investigation No. 337-TA-1411(issued January 28, 2026)
1035	Notice of a Commission Determination to Extend the Date for Determining Whether to Review a Final Initial Determination and the Target Date for Completion of the Investigation, issued <i>In Re Certain Photodynamic Therapy Systems, Components Thereof, And Pharmaceutical Products Used In Combination With The Same</i> , Investigation No. 337-TA-1411(issued December 17, 2025)

Dated: February 19, 2026

Respectfully submitted,
/James P. Murphy/

James P. Murphy
Reg. No. 55,474
Polsinelli PC
1000 Louisiana Street
Suite 6400
Houston, Texas 77002
Tel: (713) 374-1600

Corey Casey
Reg. No. 66,950
Polsinelli PC
900 West 48th Place
Suite 900
Kansas City, Missouri 64112
Tel: (816) 572-4439

Megan Hart
Reg. No. 79,202
Polsinelli PC
7676 Forsyth Blvd.
Suite 800
St. Louis, Missouri 63105
Tel: (314) 622-6107

Chad Landmon
pro hac vice
1401 Eye Street N.W.
Suite 800
Washington, D.C. 20005
Tel: (206) 626-8303

Brian Larivee
pro hac vice
One International Place
Suite 3900
Boston, Massachusetts 02110
Tel: (617) 406-0398

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Petitioner's Updated Exhibit List is being served on February 19, 2026, via email directed to the following counsel of record for the Patent Owner:

Yung-Hoon Ha
yha@desmaraisllp.com

Bridget P. Belcher
bbelcher@desmaraisllp.com

Raymond Habbaz
rhabbaz@desmaraisllp.com

SunDUSABiofronteraService@desmaraisllp.com

/Ericka McNeil/
Ericka McNeil

Polsinelli, PC
1000 Louisiana Street, Suite 6400
Houston, Texas 77002
Tele: (713) 374-1600