UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DR. FALK PHARMA GMBH,
Petitioner,

v.

ELLODI PHARMACEUTICALS, L.P.,
Patent Owner.

Case No. IPR2025-00052
Patent No. 10,632,069 B2

PATENT OWNER'S MOTION TO TERMINATE AND REQUEST FOR ADVERSE JUDGMENT UNDER
37 C.F.R. § 1.321(a)
37 C.F.R. § 42.73(b)(1)

Pursuant to 37 C.F.R. §§ 42.72 and 42.73, and the Board's authorization on January 13, 2026 (Paper 29), Patent Owner Ellodi Pharmaceuticals, L.P. ("Patent Owner" or "Ellodi") moves to terminate the present *inter partes* review proceeding in light of the disclaimer filed by Patent Owner disclaiming all claims of U.S. Patent No. 10,632,069 (the "'069 Patent").

A party before the Board "may request judgment against itself at any time during a proceeding." 37 C.F.R. § 42.73(b). Actions construed to be a request for adverse judgment include "[d]isclaimer of the involved application or patent." 37 C.F.R. § 42.73(b)(1); *see also CaptionCall, L.L.C. v. Ultratec, Inc.*, IPR2015-01886, Paper 39 at 2 (P.T.A.B. June 9, 2016) (granting request for adverse judgment under 37 C.F.R. § 42.73(b)(2) after institution of trial).

Patent Owner has no remaining claims in this *inter partes* review. On January 12, 2026, Patent Owner filed a statutory disclaimer under 37 C.F.R. § 1.321(a) disclaiming all remaining claims at issue in this proceeding, namely claims 1–17 of the '069 Patent. EX2031. Given Patent Owner's statutory disclaimer obviating the need for further proceedings in IPR2025-00052, Patent Owner respectfully requests entry of adverse judgment under § 42.73(b)(1) and moves to terminate the instant proceeding. Petitioner does not oppose this motion.

Dated: January 20, 2026

Respectfully submitted,

BY: /Sanya Sukduang/

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CERTIFICATION OF SERVICE

Pursuant to 37 C.F.R. §§42.6(e)(4)(i) *et seq.*, a complete copy of the attached **PATENT OWNER'S MOTION TO TERMINATE AND REQUEST FOR ADVERSE JUDGMENT UNDER 37 C.F.R. § 1.321(a), 37 C.F.R. § 42.73(b)(1)**, including **Exhibit No. 2031**, are being served via electronic mail on the Petitioner by serving Petitioner's counsel of record as follows:

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DATED: January 20, 2026

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