

From: [Director Discretionary Decision](#)
To: [Wood, Megan](#); [Director Discretionary Decision](#); [Trials](#)
Cc: [Davis Jr., Walter D.](#); [LLagostera, Domingo M.](#); [Hernandez, Jonathan](#); [Curley, Michael J.](#); [Sidorin, Yakov S.](#); [Jeff Kuester](#); [John North](#)
Subject: RE: ProAmpac v Sigma, No. IPR2025-01143 - Request for Conference Call
Date: Thursday, September 18, 2025 7:46:26 AM

Petitioner's request to depose Patent Owner's declarant is denied. Petitioner, however, may submit its own rebuttal evidence with its response.

From: Wood, Megan <megan.wood@blankrome.com>
Sent: Wednesday, September 17, 2025 2:40 PM
To: Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>; Trials <Trials@USPTO.GOV>
Cc: Davis Jr., Walter D. <walter.davis@blankrome.com>; LLagostera, Domingo M. <domingo.llagostera@blankrome.com>; Hernandez, Jonathan <jonathan.hernandez@blankrome.com>; Curley, Michael J. <michael.curley@quarles.com>; Sidorin, Yakov S. <yakov.sidorin@quarles.com>; Jeff Kuester <jkuester@taylorduma.com>; John North <jnorth@taylorduma.com>
Subject: RE: ProAmpac v Sigma, No. IPR2025-01143 - Request for Conference Call

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Dear Honorable Board,

We represent Petitioner ProAmpac Holdings Inc. in IPR2025-01143. Counsel for Patent Owner is copied on this email.

Further to our below email of September 11, 2025, we respectfully write to inquire about the status of the parties' request for a conference call to discuss whether Petitioner may depose Patent Owner's declarant Steven Yializis in the present IPR proceeding before Petitioner files its Response to Patent Owner's Request for Discretionary Denial ("Response"). We are sending this follow-up inquiry because the issue has become pressing as Petitioner's Response is due in 15 days on October 2, 2025.

Please let us know if the Board needs additional information from the parties in connection with the request. If there are any issues, we will address them immediately.

Thank you,
Megan

Megan Wood | BLANKROME

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From: Wood, Megan

Sent: Thursday, September 11, 2025 9:13 PM

To: 'Director_Discretionary_Decision@uspto.gov' <Director_Discretionary_Decision@uspto.gov>; Trials <trials@uspto.gov>

Cc: Davis Jr., Walter D. <Walter.Davis@BlankRome.com>; Llagostera, Domingo M. <domingo.llagostera@blankrome.com>; Hernandez, Jonathan <Jonathan.Hernandez@BlankRome.com>; Curley, Michael J. <michael.curley@quarles.com>; Sidorin, Yakov S. <yakov.sidorin@quarles.com>; Jeff Kuester <jkuester@taylorduma.com>; John North <jnorth@taylorduma.com>

Subject: ProAmpac v Sigma, No. IPR2025-01143 - Request for Conference Call

Dear Honorable Board,

The parties write jointly to request a conference call with the Board to discuss whether Petitioner may depose Patent Owner's declarant Steven Yializis in the above-referenced proceeding before Petitioner files its Response to Patent Owner's Request for Discretionary Denial ("Response"). Petitioner's Response is due October 2, 2025. On September 10-11, 2025, the parties conferred by email about whether the deposition should occur and could not resolve the dispute.

On September 2, 2025, Patent Owner filed a Request for Discretionary Denial. Paper 7. That request was supported by a declaration from Mr. Yializis. Ex. 2002. On September 10, 2025, pursuant to FAQ No. 27 of the USPTO's FAQs for Interim Processes for PTAB Workload Management, 37 C.F.R. §42.51(b)(1)(ii), and 37 C.F.R. §42.53, Petitioner filed a notice of deposition to cross-examine Mr. Yializis on September 23 on his declaration. Paper 8. Such testimony is relevant to Petitioner's Response. Petitioner requests the Board require Patent Owner to make Mr. Yializis available for the noticed deposition.

Patent Owner's contention is that the Deposition Notice is untimely Routine Discovery under 37 C.F.R. §42.51(b)(1)(ii) because it was served prior to Institution and without Board authorization. Patent owner relies on the Trial Practice Guide, which provides "In general, a party has the opportunity to cross-examine a witness providing declaration testimony submitted by another party, after institution, unless the Board orders otherwise. 37 C.F.R. § 42.51(b)(1)(ii)." (Trial Practice Guide, Pg. 51, emphasis added). Patent owner seeks leave to file a motion to quash pursuant to 37 C.F.R. § 42.53(d)(6).

Patent owner has participated in the drafting of this communication.

The parties have conferred and are available for a conference call at the following times:

Friday, September 12 after 11am ET

Monday, September 15 after 11am ET

Regards,

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