From: Christopher Gallo <CGALLO@sternekessler.com>
Sent: Friday, August 7, 2026 12:42 PM
To: Trials <Trials@USPTO.GOV>
Cc: Eldora L. Ellison <EELLISON@sternekessler.com>; Olga A. Partington <OPARTINGTON@sternekessler.com>; jkushan@sidley.com; lkatzeff@sidley.com
Subject: RE: IPR2026-00069 pre-hearing conference

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PGR2025-00059
IPR2026-00069

Dear Mr. Kellogg,

Patent Owner and Petitioner agree to set the due date for Patent Owner's Sur-Reply to be October 20, 2026, in PGR2025-00059 and IPR2026-00069. As noted in the parties' recently filed stipulations (Paper 26, PGR2025-00059; Paper 20, IPR2026-00069), the parties have agreed to forgo filing of motions to exclude evidence if certain conditions are met, which would obviate the filing of oppositions and replies to such motions. Nevertheless, the parties request that the forthcoming Scheduling Orders from the Board provide for due dates for motions to exclude on October 26, 2026, oppositions on October 30, 2026, and replies on November 5, 2026.

Petitioner is copied on this email.

Regards,
Christopher Gallo
Counsel for Patent Owner

Christopher Gallo, Ph.D.
Director
cgallo@sternekessler.com

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Sterne, Kessler, Goldstein & Fox PLLC
1101 K Street NW, 10th Floor, Washington, DC 20005

From: Trials <Trials@USPTO.GOV>
Sent: Thursday, August 6, 2026 10:35 AM

To: jkushan@sidley.com; lkatzeff@sidley.com; Eldora L. Ellison <EELLISON@sternekessler.com>; Olga A. Partington <OPARTINGTON@sternekessler.com>; Christopher Gallo <CGALLO@sternekessler.com>
Cc: Trials <Trials@USPTO.GOV>
Subject: IPR2026-00069 pre-hearing conference

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Counsel,

The PTAB Trial Practice Guide requires that the pre-hearing conference in IPR2026-00069 must take place no later than 15 days before the hearing, thus October 26 or earlier. Therefore, the panel requests that the parties agree to set the due date for Patent Owner's Sur-reply to no later than Oct. 20, 2026, in order to give the panel and the parties adequate time to prepare for the pre-hearing conference with the briefing completed. To this end, the panel would appreciate a response from Patent Owner, copying Petitioner's counsel, agreeing to move the due date to October 20th.

The Board will issue a revised Scheduling Order this week to reflect the resolution of the dates for Patent Owner's Sur-reply and the pre-hearing conference.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366