

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCK SHARP & DOHME LLC,
Petitioner

v.

POGONA, LLC,
Patent Owner.

Case No. IPR2026-00221
U.S. Patent No. 11,058,757

**PETITIONER'S UPDATED MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8(a)(3)**

Pursuant to 37 C.F.R. § 42.8(a)(3) Petitioner Merck Sharp & Dohme LLC (“Merck”) hereby updates its mandatory notices to update Related Matters. This notice is being timely filed within 21 days of a change to the information listed in the Related Matters under 37 C.F.R. § 42.8(b)(2).

B. Related Matters

Patent Owner has asserted the ’757 Patent against Petitioner in *Pogona, LLC v. Merck Sharp & Dohme LLC*, No. 25-cv-15294 (D.N.J. Sept. 5, 2025). The ’757 Patent is also involved in the following proceeding:

- *Pfizer Inc. v. Pogona, LLC*, IPR2026-00189 (PTAB Dec. 23, 2025).

Dated: February 19, 2026

Respectfully submitted,

/s/ Ben Haber

Ben Haber (Reg. No. 67,129)

CERTIFICATE OF SERVICE (37 C.F.R. §42.6(e)(1))

I hereby certify that on February 19, 2026, I caused a true and correct copy of the foregoing PETITIONER'S UPDATED MANDATORY NOTICES PURSUANT TO 37 C.F.R. §42.8(a)(3) to be served electronically on counsel for Patent Owner at the following addresses:

Sarah E. Spires
Steven W. Hartsell
Ryan A. Hargrave
SKIERMONT DERBY LLP
1601 Elm Street, Suite 4400
Dallas, TX 75201
Telephone: (214) 978-6600
Fax: (214) 978-6601
sspires@skiermontderby.com
shartsell@skiermontderby.com
rhargrave@skiermontderby.com
PogonaSDTeam@skiermontderby.com

Dated: February 19, 2026

Respectfully submitted,

/s/ Ben Haber

Ben Haber (Reg. No. 67,129)
O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000
Fax: (213) 430-6407
E-Mail: bhaber@omm.com
Attorney for Petitioner