

Filed: April 29, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCK SHARP & DOHME LLC
Petitioner,

v.

POGONA, LLC
Patent Owner.

Case IPR2026-00221
Patent 11,058,757

PATENT OWNER'S UPDATED EXHIBIT LIST

Patent Owner Pogona, LLC hereby submits its updated exhibit list to accompany the submission of Exhibits 2010–2015:

Exhibit No.	Description
2001	Declaration of Bruce D. Forrest in Support of Patent Owner’s Discretionary Denial Brief, dated March 27, 2026.
2002	Email correspondence between Bruce D. Forrest and Julie M. Skinner.
2003	Email correspondence from Bruce D. Forrest to Stephen E de Laszlo.
2004	U.S. Patent No. 11,395,849 to Porambo et al.
2005	U.S. Patent and Trademark Office, Information Disclosure Statement for Application No. 16645023.
2006	Court’s Order, <i>Pogona, LLC v. Merck Sharp & Dohme LLC</i> , No. 2:25-cv-15294-BRM-JBC (D.N.J.), dated March 2, 2026.
2007	Matanock, M.D., Almea, et al., <i>Use of 13-Valent Pneumococcal Conjugate Vaccine and 23-Valent Pneumococcal Polysaccharide Vaccine Among Adults Aged ≥65 Years: Updated Recommendations of the Advisory Committee on Immunization Practices</i> , Morbidity and Mortality Weekly Report, Vol. 68 No. 46 (2019).
2008	Cynthia Whitney, M.D., MPH, <i>Pneumococcal Vaccines for Older Adults: What is the right approach?</i>
2009	Almea Matanock, M.D., <i>Invasive Pneumococcal Disease in the U.S. – 2008-2016</i> , National Center for Immunization & Respiratory Diseases, October 26, 2017.
2010	Decision on Appeal, <i>Ex parte Smith</i> , No. 2011-003337 (PTAB Feb. 28, 2012).

Exhibit No.	Description
2011	Judgment, <i>Ex parte Smith</i> , No. 2012-001344 (Fed. Cir. Nov. 20, 2012).
2012	Decision on Appeal, <i>Ex Parte Eckhardt</i> , No. 2020-003463 (PTAB Apr. 15, 2021).
2013	Appellant's Appeal Brief, <i>Ex Parte Eckhardt</i> , No. 71049US008 (filed Nov. 4, 2019).
2014	U.S. Patent No. 11,400,162 to McHugh et al.
2015	U.S. Patent No. 8,192,746 to Caulfield et al.

Dated: April 29, 2026

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing PATENT OWNER'S UPDATED EXHIBIT LIST was served on April 29, 2026, by delivering a copy via electronic mail to the attorneys of record for Petitioner as follows:

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