UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNGENTA CROP PROTECTION AG,
Petitioner,

v.

UPL LTD,
Patent Owner.

PGR2023-00017
U.S. Patent No. 11,445,727

PETITIONER'S UPDATED EXHIBIT LIST

LIST OF EXHIBITS

Ex. No.	Description
1001	U.S. Patent No. 11,445,727 ("the '727 Patent").
1002	Selected Excerpts of the File History of the '727 Patent
1003	Declaration of Phillip M. Brannen, Ph.D.
1004	Godoy et al. "Eficiência de fungicidas multissítios no controle da ferrugem-asiática da soja, *Phakopsora pachyrhizi*, na safra 2015/16: resultados sumarizados dos ensaios cooperativos", Londrina, PR Agosto 2016 (Embrapa Soja, Circular Técnica, 121) ("Godoy")
1005	Certified Translation of Godoy "Efficiency of multisite fungicides in controlling Asian soybean rust, *Phakopsora pachyrhizi*, in the 2015/16 harvest: summarized results of cooperative trials", Londrina, PR August 2016 (Embrapa Soja, Circular Técnica, 121)
1006	U.S. Patent No. 9,314,022 to Tobler et al. of Syngenta ("the '022 Patent" or Tobler)
1007	WO Application Pub. No. 2015/079334 to De Oliveira of UPL, Ltd (the "WO'334" or "De Oliveira")
1008	Wiglesworth et al. "Solatenol™ fungicide – a new SDHI fungicide from Syngenta" Phytopathology (2015) 105(Supl. 2) No. 4, p. S2.11 ("Wiglesworth")
1009	Elatus EPA Reg. No. 100-1480 dated 8/28/2015 ("Elatus EPA Label")
1010	Gullino et al. "Mancozeb Past, Present, and Future", Plant Disease (2010) Vol. 94, No. 9, pp. 1076-1087 ("Gullino")
1011	The Pesticide Manual, 17th Ed. Turner, J.A. Editor (2015), excerpted monographs

Ex. No.	Description
1012	Colby, S.R., "Calculating Synergistic and Antagonistic Responses of Herbicide Combinations", Weeds, Vol. 15, No. 1 (1967) pp. 20-22 ("Colby")
1013	Gisi et al. "Synergistic Interactions of Fungicides with Different Modes of Action", Trans. Br. Mycol. Soc. (1985) 85(2), pp. 299-306 ("Gisi")
1014	Levy et al. "The joint action of fungicides in mixtures: comparison of two methods for synergy calculation", European and Mediterranean Plant Protection Organization (EPPO) Bulletin (1986) 16(4), pp 651-657 ("Levy")
1015	Koller et al. "Evaluation of Tactics for Managing Resistance of *Venturia inaequalis* to Sterol Demethylation Inhibitors", Plant Disease (1999) pp 857-863 ("Koller")
1016	Emery et al. "Assessment of interactions between components of fungicide mixtures against *Monilinia fructicola*", Crop Protection (2002) 21, pp 41–47 ("Emery")
1017	Moura et al., "Effects of cyproconazole, azoxystrobin and mineral oil on soybean leaf anatomy", Dourados (2013) v.6, n.20, p.154-160 ("Moura")
1018	Della Vechia et al., "Physical characteristics of insecticide spraying liquids with mineral oil and droplets formed on citrus leaves", Citrus Research & Technology, (2016) v. 37, n. 1, pp. 102-107 ("Della Vechia")
1019	Declaration of Sylvia Hall-Ellis, Ph.D.
1020	Declaration of Caio Prates
1021	Declaration of Gilson Aparecido Hermenegildo de Oliveira submitted in U.S. Patent App. Ser. No. 15/673,316
1022	Supplemental Declaration of Sylvia Hall-Ellis, Ph.D.
1023	Declaration of Ryan Kody Jones

Ex. No.	Description
1024	Brazilian trademark, Process No.: 007161867, registration for NIMBUS, class 1 registration
1025	Certified translation of Ex. 1024, Brazilian trademark registration of NIMBUS
1026	Brazilian trademark, Process No.: 200012975, registration for NIMBUS, class 5 registration
1027	Certified translation of Ex. 1026, Brazilian trademark registration of NIMBUS
1028	NIMBUS material safety and data sheet (MSDS)
1029	Certified translation of Ex. 1028, NIMBUS MSDS
1030	Machado *et al.* "Is tank mixing site-specific premixes and multi-site fungicides effective and economic for managing soybean rust? a metaanalysis," Crop Protection, Volume 151, 2022, 105839 (pp. 1-9) ("Machado")
1031	Severity Data Related to EX1020 **CONFIDENTIAL – ATTORNEY'S EYES ONLY**
1032	Additional Severity Data Related to EX1020 **CONFIDENTIAL – ATTORNEY'S EYES ONLY**
1033	Yield, Defoliation, and Phytotoxicity Data Related to EX1020 **CONFIDENTIAL – ATTORNEY'S EYES ONLY**
1034	Submission by UPL to the European Patent Office in support of a European Patent (EP 3073826) which claims priority to the same Indian application (1336/KOL/2013) as De Oliveira (EX1007)
1035	Affidavit by De Oliveira dated Aug. 7, 2023 submitted by UPL in the Indian Patent Office in support of the Indian priority application (1336/KOL/2013) to the Oliveira (EX1007)

Ex. No.	Description
1036	Intentionally Omitted
1037	Intentionally Omitted
1038	Submission and affidavit by Oliveira from UPL dated Oct. 4, 2019, to the Indian Patent Office in support of the Indian priority application (1336/KOL/2013) to the Oliveira (EX1007)
1039	Intentionally Omitted
1040	U.S. Patent No. 9,205,115 B2 to Barry J. Jacobsen
1041	U.S. Patent Application Pub. No. 2017/0086454 A1
1042	U.S. Patent Application Pub. No. 2016/0212993 A1
1043	Transcript of the deposition of Barry J. Jacobsen, Ph.D. (Jan. 10, 2024)
1044	Intentionally Omitted
1045	Email correspondence exchanged between the parties regarding discovery related to examples in the '727 patent
1046	"association," Webster's New Twentieth Century Dictionary (2nd ed. 1975)
1047	"association," Merriam-Webster's Collegiate® Dictionary (10th ed. 1998)
1048	Declaration of James L. Mullins with Attachments **SERVED NOT FILED**

Date: April 2, 2024

Respectfully submitted,

/Toni-Junell Herbert/
Toni-Junell Herbert
Registration No. 34,348
Lead Counsel for Syngenta Crop Protection AG

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on April 2, 2024, a copy of the foregoing PETITIONER'S UPDATED EXHIBIT LIST was provided via email to the following:

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