

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNGENTA CROP PROTECTION AG,
Petitioner,

v.

UPL LTD.,
Patent Owner.

Case PGR2023-00017
Patent No. 11,445,727

PATENT OWNER'S UPDATED EXHIBIT LIST

Pursuant to 37 C.F.R. § 42.63(e), Patent Owner UPL Ltd. hereby submits a current listing of Patent Owner exhibits. Exhibit 2064 is being filed today.

Exhibit	Description	Served Not Filed
2001	M. Bravo de Souza and R. Luiza Vidal, “Fungicidas Protetores e Sistemicos no Controle de Corynespora cassicola em Soja,” Revista de Agricultura Neotropical, v. 5, n. 3, p. 65-69, jul./set. 2018	
2002	Certified translation of EX2001, M. Bravo de Souza and R. Luiza Vidal, “Protective and Systemic Fungicides in the Management of Corynespora cassicola in Soybeans,” Neotropical Agriculture Journal, v. 5, n. 3, p. 65-69, Jul./Sep. 2018 (“de Souza”)	
2003	Nimbus WG Fungicide/Miticide Product Label, APVMA Approval No. 68631/114843	
2004	Australian Pesticides and Veterinary Medicines Authority registration information for Nimbus WG Fungicide, Product No. 68631	
2005	Ficha de Datos de Seguridad, Nimbus	
2006	Certified translation of EX2005, Safety Data Sheet for Nimbus	
2007	Ministerio de Agricultura, Pesca Y Alimentación registration information for Nimbus, Registration No. 24412	
2008	Certified translation of EX2007, Ministry of Agriculture, Fisheries, and Food registration information for Nimbus, Registration No. 24412	
2009	Ficha Tecnica IQV Agro Portugal, Nimbus, Provisional marketing Authorization No. 3814	

Exhibit	Description	Served Not Filed
2010	Certified translation of EX2009, Data Sheet for IQV Agro Portugal for Nimbus, Provisional Marketing Authorization No. 3814	
2011	U.S. Patent Publication No. 2010/0216640	
2012	U.S. Patent Publication No. 2015/0181870 (“Kemmitt”)	
2013	EP 2 783 569 A1 (“Grammenos”)	
2014	Declaration of Lauren Gluckman	X
2015	2016 Southeast Regional Caneberries Integrated Management Guide	
2016	Sequence Combination Demonstrative	
2017	Transcript of Hearing (Oct. 16, 2023)	
2018	Transcript of the Deposition of Caio Prates (Sept. 20, 2023)	
2019	Transcript of Hearing (Oct. 26, 2023)	
2020	Declaration of Barry J. Jacobsen	
2021	Transcript of the Deposition of Phillip Brannen, Ph.D. (Sept. 28, 2023)	
2022	A.T. Wojdyla, “Activity of Plant and Mineral Oils in the Control of <i>Puccinia Pelargonii-Zonalis</i> ,” Commun. Agric. Biol. Sci., v. 70, n. 3, p. 193-98, 2005	

Exhibit	Description	Served Not Filed
2023	<i>Mineral Oil- Includes Paraffin Oil From 063503</i> , Env't Prot. Agency: Off. Pesticide Programs, https://ordspub.epa.gov/ords/pesticides/f?p=CHEMICALSEARCH:3::::1,3,31,7,12,25:P3_XCHEMICAL_ID:2908 (last visited Nov. 8, 2023).	
2024	McLean et al., "Compatability of the Biocontrol Agent <i>Trichoderma Harzianum</i> C52 With Selected Fungicides," New Zeland Plant Prot., v. 54 p. 884-88, 2001	
2025	Hwang et al., "Chlorine and Chlorine Dioxide Treatment to Reduce or Remove EBDCs and ETU Residues in a Solution," J. Ag. & Food Chem., v. 50, n. 16, p. 4734-4742, 2002	
2026	Mehmet Faith Cengiz & Muharrem Certel, "Effects of Chlorine, Hydrogen Peroxide, & Ozone on the Reduction of Mancozeb Residues on Tomatoes," Turkish J. Ag. & Forestry, v. 38, n. 3, 2014	
2027	Combination, Merriam Webster's Dictionary (11 th ed. 2014)	
2028	Combination, Collins Dictionary (11 th ed. 2011)	
2029	U.S. Patent No. 7,732,469 (filed Oct. 23, 2006)	
2030	The Pesticide Manual (13 th ed., British Crop Prot. Council 2003)	
2031	Intentionally Omitted	
2032	Muller et al., "Multiple Resistance to DMI, QoI & SDHI Fungicides in Field Isolates of <i>Phakopsora pachyrhizi</i> " Crop Prot., v. 145, 2021	
2033	Keith J. Brent & Derek W. Hollomon, Fungicide Resistance in Crop Pathogens: How Can it be Managed, (2 nd ed., Fungicide Resistance Action Committee 2007)	

Exhibit	Description	Served Not Filed
2034	December 30, 2014 Response to Office Action for U.S. Patent Appl. No.: 14/031,538	
2035	Email from Daniel Bucca, Syngenta Counsel	
2036	Labor Review Manual, Chapter 18: Unique Product Labeling (Revised Sept. 2013 ed., Env't Prot. Agency)	
2037	Tudo Sobre Mitrion®: O Fungicida Potente Da Syngenta, (Syngenta)	
2038	Certified Translation of EX2037, All About Mitrion®: The Powerful Syngenta Fungicide (Syngenta)	
2039	Vawdrey et al., "Evaluation of Mineral Oils and Plant-Derived Spray Adjuvants, Mancozeb Formulations and Rates of Application, for the Control of Yellow Sigatoka Leaf Spot (caused by <i>Mycosphaella musicola</i>) of Bananas in Far Northern Queensland, Australia, Australasian Plant Pathology, v. 33, p. 379-84, 2004	
2040	Reis et al., "Impacto Do Glyphosate Associado A Inseticida E Fungicida Na Activade Microbiana E No Potencial De Solubilizacao De Fosfato Em Solo Cultivado Com Soja Roundup Ready®," Planta Daninha, v. 27, n. 4, p.729-37, 2009	
2041	Certified Translaton of EX2040, "Impact of Glyphosate Associated With Insecticide and Fungicide on Microbial Activity and the Potential for Phosphate Solubilization in Soil Cultivated With Roundup Ready®," Planta Dninha, v. 27, n. 4, p. 729-37, 2009	
2042	PN ALL SEASON SPRAY OIL, Registration No. 002935-00546	
2043	BIOCOVER MLT, Registration No, 034704-00805	

Exhibit	Description	Served Not Filed
2044	GLACIAL [®] SPRAY FLUID, Registration No. 034704-00849	
2045	DREXEL 415 OIL 98, Registration No. 019713	
2046	Singh et al., “Decontamination of Mancozeb from Cumin and Fennel,” Pesticide Rsch. J., v. 25, n. 2, p. 112-16, 2013.	
2047	Kanetis et al., “Optimizing Efficacy of New Postharvest Fungicides and Evaluation of Sanitizing Agents for Managing Citrus Green Mold, Am. Phytopathological Soc’y, v. 92, n. 2, p. 261-69, 2008	
2048	Da Costa et al., “Tank Mix Application of Copper Hydroxide Either With Cyproconazole or Pyraclostrobin Fungicides Reduced the Control of Coffee Leaf Rust,” Crop Prot., v. 124, 2019	
2049	Lukovic et al., “Sensitivity of <i>Trichoderma</i> Strains from Edible Mushrooms to the Fungicides Prochloraz and Metrafenone,” J. Env’t. Sci. & Health, v. 56, n. 1, p. 54-63, 2021	
2050	Tomer et al., “Compatibility <i>Trichoderma harzanium</i> with Systemic and Two Non Systemic Fungicides of <i>in vitro</i> ,” Asian J. Crop Sci., v. 10, n. 4, p 174-79, 2018	
2051	Kiran et al., “Studies on Compatibility of Biocontrol Agents With Chemical Fungicides for Integrated Management of <i>Alternaria</i> Leaf Spot of Cabbage,” J. Pharmacognosy & Phytochemistry, v. 7, n. 5, 2974-77, 2018	
2052	Khirallah et al., “Compatibility of <i>Trichoderma</i> Spp. With Some Fungicides Under <i>In Vitro</i> Conditions,” Int’l J. Recent Sci. Rsch., v. 7, n. 2, p. 9060-67, 2016	

Exhibit	Description	Served Not Filed
2053	Manandhar et al., “Compatibility Study of Trichoderma Isolates With Chemical Fungicides,” J. Ag. & Env’t., v. 21, p. 9-18, 2020	
2054	Intermountain Commercial Tree Fruit Production Guide: A Publication for Commercial Fruit Producers of the Intermountain West(2022-23) https://intermountainfruit.org/pesticide-tables/spray-incompatibility	
2055	Env’t Prot. Agency: Potential Export of Mercury Compounds from the United States for Conversion to Elemental Mercury (2009) (full text available at: https://www.epa.gov/sites/default/files/2015-10/documents/mercury-rpt-to-congress-export-ban.pdf)	
2056	Dyrtova et al., “Triazoles and Aromatase: The Impact of Copper Cocktails,” Env’t Pollution, v. 266, 2020	
2057	H. Soller & A. Wedemeier, “Prediction of Synergistic Mutli-Compound Mixtures: A Generalized Colby Approach,” Corp Prot., v. 42, p. 180-85, 2012	
2058	E. Kosman & Y. Cohen, “Procedures for Calculating and Differentiating Synergism and Antagonism in Action of Fungicide Mixtures,” Am. Phytopathological Soc’y, v. 86, n. 11, p. 1263-72, 1996	
2059	Deric D. Picton & Kim E. Hummer, “Control of Powdery Mildew on Leaves and Stems of Gooseberry,” Hort Tech., v. 13, n. 2, p. 365-67, 2003	
2060	FRAC Code List© 2022: Fungal Control Agents Sorted by Cross-Resistance Pattern and Mode of Action (Including Coding for FRAC Groups on Product Labels) (Fungicide Resistance Action Committee 2022)	

Exhibit	Description	Served Not Filed
2061	Declaration of Lauren Gluckman	X
2062	Declaration of Kelley M. Hayes Greenhill	X
2063	Declaration of Shauna L. Wiest	X
2064	Patent Owner Demonstratives	

Respectfully submitted,

Dated: April 12, 2024

/Mark J. Feldstein/
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Lead Counsel for Patent Owner
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Patent Owner's Updated Exhibit List and Exhibit 2064** were served electronically via email on April 12, 2024, in their entirety on the following:

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Petitioner has consented to electronic service.

Dated: April 12, 2024

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