

From: [Trials](#)
To: [Berg, Brad](#); [Trials](#)
Cc: [Kellar, Kyle W.](#); [Yoo, Scott](#); [Wright, John](#); [Pensabene, Marc J.](#); [Williamson, Brett J.](#)
Subject: RE: PGR2024-00053 and PGR2025-00013 – Joint Request to Extend Deadlines and Permission to File Motion
Date: Friday, December 12, 2025 12:45:39 PM
Attachments: [image001.png](#)

Counsel,

We grant the parties' joint request for a two-week extension of time. We thank the parties for their cooperation to resolve this matter.

A motion is not necessary. The parties may proceed based on this response to the parties' email, and we will enter the email correspondence into the record for each proceeding as an exhibit. We also will issue a revised scheduling order with the new dates for Due Dates 3, 6, and 8 shortly.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
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From: Berg, Brad <bmerberg@omm.com>
Sent: Wednesday, December 10, 2025 8:06 PM
To: Trials <Trials@USPTO.GOV>
Cc: Kellar, Kyle W. <kyle.kellar@wbd-us.com>; Yoo, Scott <scott.yoo@wbd-us.com>; Wright, John <john.wright@wbd-us.com>; Pensabene, Marc J. <mpensabene@omm.com>; Williamson, Brett J. <bwilliamson@omm.com>
Subject: PGR2024-00053 and PGR2025-00013 – Joint Request to Extend Deadlines and Permission to File Motion

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Dear Honorable Board,

I write on behalf of both parties in PGR2024-00053 and PGR2025-00013, which the Board has previously placed on a coordinated schedule at the parties' request. We regret to inform the Board that Petitioner's expert, Dr. Pratt, is facing a family emergency, as his wife

is expected to pass imminently. To allow Dr. Pratt time and space during this difficult period, and in light of the uncertainty in timing, the parties have conferred and, to obviate the need to proceed with Dr. Pratt's currently noticed December 19 deposition during this difficult time, the parties jointly request a two-week extension of all deadlines to accommodate these circumstances.

Because the requested extension would impact the current January 21 oral argument date, the parties understand that a showing of good cause is required. If necessary, the parties respectfully request permission to file a joint motion for a two-week extension. The parties propose that the following deadlines be modified as set out below, subject to the Board's availability for oral argument:

- Due Date 3 (Patent Owner Sur-Reply): January 23 (currently January 9)
- Due Date 6 (Request for Pre-hearing Conference only): January 21 (currently January 7)
- Due Date 8 (Oral Argument): February 4 (pending Board availability) (currently January 21)

Due Dates 5–7 (as to any motion to exclude evidence) would remain as currently scheduled.

If the request is granted, the parties have identified January 7 as the date on which Dr. Pratt's deposition will proceed.

Please advise whether the parties are authorized to file a joint motion requesting the two-week extension, or if the Board would prefer that we proceed in some other manner. We are available at the Board's convenience to discuss, if doing so would be helpful. Patent Owner's counsel is copied here and approves this email.

Respectfully,

Brad Berg
Counsel for Petitioner

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