

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CHARLES RIVER LABORATORIES, INC.,
Petitioner,

v.

SEIKAGAKU CORPORATION,
Patent Owner.

IPR2025-00440 (Patent 11,236,318)
PGR2025-00023 (Patent 11,959,109)¹

Before SUSAN L. C. MITCHELL, MICHAEL J. FITZPATRICK, and
TAWEN CHANG, *Administrative Patent Judges*.

FITZPATRICK, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

¹ This Order is being entered in both proceedings. The parties may not file papers captioned for multiple proceedings unless specifically authorized, as we do below. *See infra* n.2.

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A conference call was held with the Board on November 12, 2025. The conference call was requested by Patent Owner. Scott McKeown spoke for Petitioner, and Alexander Stein spoke for Patent Owner.

One purpose of the call was to discuss Patent Owner's request to file, in each proceeding, a motion to compel additional discovery pursuant to 37 C.F.R. § 42.51(b)(2). The specific information sought is whether Petitioner initiated Opposition proceedings before the European Patent Office against PO's European Patent No. 3530670. We authorized briefing, as set forth below.

Another purpose of the call was to discuss Patent Owner's intent to file a contingent motion to amend in IPR2025-00440. Patent Owner has satisfied its obligation under the Scheduling Order of "confer[ring] with the Board before filing such a motion." Paper 15, 4.

ORDER

Accordingly, it is

ORDERED that Patent Owner may file in each proceeding, no later than November 14, 2025, a motion to compel under 37 C.F.R. § 42.51(b)(2) the information identified above;

FURTHER ORDERED that Petitioner may file in each proceeding an opposition to the motion no later than November 21, 2025; and

FURTHER ORDERED that the motion and opposition are each limited to ten (10) pages, and no reply brief is authorized.²

² If Patent Owner desires, it may file an identical motion in both proceedings with a caption that identifies both proceedings. If Petitioner desires, it may

IPR2025-00440 (Patent 11,236,318)
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FOR PETITIONER:

Scott McKeown
Flora Luo
WOLF, GREENFIELD & SACKS, P.C.
Smckeown-ptab@wolfgreenfield.com
Fluo-ptab@wolfgreenfield.com
WGS-CharlesRiverLabsv.SeikagakuCorp.IPR@WolfGreenfield.com

FOR PATENT OWNER:

Alexander Stein
Christopher Betti
Alison Slaughter
Maria E. Doukas
MORGAN, LEWIS & BOCKIUS LLP
Alexander.stein@morganlewis.com
Christopher.betti@morganlewis.com
alison.patitucci@morganlewis.com
maria.doukas@morganlewis.com
Seikagaku-CR-IPR-PGR@morganlewis.com

file an identical opposition in both proceedings with a caption that identifies both proceedings.