UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CHARLES RIVER LABORATORIES, INC.,
Petitioner,

v.

SEIKAGAKU CORPORATION,
Patent Owner.

PGR2025-00023
Patent 11,959,109 B2

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

CHANG, *Administrative Patent Judge*.

ORDER
Denying Patent Owner's Motion for Additional Discovery as Moot
37 C.F.R. § 42.51

On November 14, 2025, Patent Owner filed an authorized Motion to Compel Additional Discovery Under 37 C.F.R. § 42.51(b)(2) ("Motion"). Papers 22, 23. The Motion seeks to confirm whether Petitioner initiated the Opposition proceeding against European Patent No. 3530670 ("European Opposition"). Mot. 1. Petitioner opposed the motion on November 21, 2025. Paper 24. No reply was filed or authorized. Paper 22.

On December 19, 2025, Patent Owner informed the Board that Petitioner has confirmed that Petitioner is "the party behind the European Opposition proceeding." Ex. 3003. Because Petitioner has provided the discovery at issue in the Motion, we deny the Motion as moot.[1] *Id.*

ORDER

Accordingly, it is

ORDERED that Patent Owner's Motion is DENIED as moot.

[1] Patent Owner asserts the issue of whether the European Opposition contradicts Petitioner's arguments in this proceeding is not moot. Ex. 3003. We clarify that this Order denies the Motion as moot solely because the discovery at issue in the Motion has been provided and is not an indication of the Board's position on the Motion's merits with respect to the usefulness of the discovery in this proceeding.

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