

PGR2025-00025
U.S. PATENT NO. 11,961,422

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Multi-Color Corporation,
Petitioner,

v.

Brook & Whittle Limited,
Patent Owner.

Case PGR2025-00025
U.S. Patent No. 11,961,422

TRANSMITTAL LETTER FOR EXHIBIT 1038

In accordance with 37 C.F.R. § 42.6(e)(4)(ii), this transmittal letter accompanies the separate filing of Exhibit 1038, which is being submitted following the conference with the Board, Petitioner, and Patent Owner (the “Parties”) on December 3, 2025. During that conference, the Parties discussed, and Petitioner agreed, to submit as one or more Exhibits in the above-captioned proceeding the following materials to the extent they exist:

1. The test data submitted in 2019 for APR critical guidance recognition;
2. Test results and protocols, to the extent they exist, for wash-water evaluations undertaken by Petitioner in preparing the Petition; and
3. Test results and protocols, to the extent they exist, for silver ink testing undertaken by Petitioner in preparing the Petition.

With respect to item 1, the 2019 APR critical guidance recognition test data is filed as Exhibit 1038 accompanying this transmittal letter. The Certificate of Service for Exhibit 1038 is included herein. Exhibit 1038 is identified in Petitioner’s Listing of Exhibits as follows:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
Exhibit 1038:	APR Summation Report for Critical Guidance Recognition 5-01-19.

With respect to item 2, all test results and protocols for wash-water evaluations undertaken by Petitioner in preparing the Petition have already been submitted to the Board and are included in Exhibits 1033–1036, which were submitted for in-camera review, as well as Exhibit 1012, which is already of record.

With respect to item 3, Petitioner did not conduct any silver ink testing in preparing the Petition and thus does not possess any corresponding test results or protocols.

Respectfully submitted,

Dated: December 5, 2025

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on December 5, 2025, a complete and entire copy of EX1038, along with the accompanying Transmittal Letter, was provided via email to the Patent Owner by serving the email correspondence addresses of record as follows:

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