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Paper: 46
Date: July 31, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONJUPRO BIOTHERPEUTIS, INC.,
Petitioner,

v.

ASCLETIS PHARMA CHINA CO. LTD.,
Patent Owner.

PGR2025-00057
Patent 12,234,236 B1

Before CHRISTOPHER M. KAISER, TAWEN CHANG, and RYAN H. FLAX, *Administrative Patent Judges*.

CHANG, *Administrative Patent Judge*.

ORDER
Setting Oral Argument
37 C.F.R. § 42.70

I. ORAL ARGUMENT

A. Time and Format[1]

Oral arguments will commence at 1:00 p.m. Eastern Time on August 31, 2026, at USPTO Headquarters in Alexandria, Virginia.[2, 3, 4] The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.

Petitioner will have a total of sixty minutes to present argument in this case, and Patent Owner will have a total of sixty minutes to respond. Petitioner will open the hearing by presenting its case regarding the challenged claims for which a trial was instituted. Thereafter, Patent Owner will respond to Petitioner's argument. Petitioner may reserve rebuttal time to respond to arguments presented by Patent Owner. In accordance with the Trial Practice Guide,[5] issued in December 2025, Patent Owner may request to reserve time for a brief sur-rebuttal. *See* Trial Practice Guide § II.M.

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[1] If a party is no longer able to appear in-person for the hearing, the party must contact PTABHearings@uspto.gov as soon as possible.
[2] Visitors to any USPTO facility where identification is required must present state-issued identification that is REAL ID-compliant. Alternatively, visitors can present another form of government-issued photo identification listed on the Department of Homeland Security Transportation Security Administration's Acceptable IDs webpage at www.tsa.gov/travel/security-screening/identification.
[3] If there are any concerns about disclosing confidential information, the parties must contact the Board at Trials@uspto.gov at least ten business days before the hearing date.
[4] The Board understands Patent Owner's preference is to hold the oral hearing in person at the San Jose, California, USPTO Regional Office (Paper 43, 1) and appreciates Patent Owner's flexibility in this regard.
[5] Available at www.uspto.gov/patents/ptab/trial-practice-guide.

The Board will hold a telephonic pre-hearing conference on August 17, 2026, at 1:00 pm Eastern Time.[6] *See id.* § II.M; Paper 17 (Scheduling Order). "The purpose of the pre-hearing conference is for the Board panel to provide guidance as to particular issues that the panel would like the parties to address at the oral hearing, for example, claim construction issues, reason to combine prior art teachings, or objective indicia of non-obviousness. The pre-hearing conference also provides the parties the opportunity to identify (but not argue) any issues the parties would like to address at the oral hearing." *Id.*

B. Demonstratives

As set forth in 37 C.F.R. § 42.70(b), demonstratives shall be served on opposing counsel at least seven business days before the hearing date. The demonstratives shall be filed no later than three business days before the hearing.[7]

Demonstratives are not a mechanism for making new arguments. Demonstratives also are not evidence and will not be relied upon as evidence. Rather, demonstratives are visual aids to a party's oral

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[6] The Board will circulate dial-in information to the parties via electronic mail prior to the conference. If either party is not available at 1:00 p.m. Eastern Time on August 17, 2026, the parties are instructed to jointly contact the Board with three alternative times on August 17, 2026, when both parties are available for the pre-hearing conference.

[7] The parties may stipulate to an alternative schedule for *serving* demonstratives, if a notice of the stipulation, specifically identifying the alternative schedule, is promptly filed. The parties may not stipulate to an alternative schedule for *filing* demonstratives but may request that the Board modify the schedule for filing demonstratives at least seven business days before the hearing date.

presentation regarding arguments and evidence previously presented and discussed in the papers. Accordingly, demonstratives shall be clearly marked with the words "DEMONSTRATIVE EXHIBIT – NOT EVIDENCE" in the footer. *See Dell Inc. v. Acceleron, LLC*, 884 F.3d 1364, 1369 (Fed. Cir. 2018) (holding that the Board is obligated under its own regulations to dismiss untimely argument "raised for the first time during oral argument"). "[N]o new evidence may be presented at the oral argument." Trial Practice Guide § II.M; *see also St. Jude Med., Cardiology Div., Inc. v. Bd. of Regents of the Univ. of Mich.*, IPR2013-00041, Paper 65 at 2–3 (PTAB Jan. 27, 2014) (explaining that "new" evidence includes evidence already of record but not previously discussed in any paper of record).

Further, because of the strict prohibition against the presentation of new evidence or arguments at a hearing, the Board strongly recommends that each demonstrative include a citation to a paper in the record, which allows the Board to easily ascertain whether a given demonstrative contains "new" argument or evidence or, instead, contains only that which is developed in the existing record.

Due to the nature of the Board's consideration of demonstratives and the opportunity afforded for the parties to reach an agreement without involving the Board, the Board does not anticipate that objections to demonstratives are likely to be sustained. Nevertheless, to the extent that a party objects to the propriety of any demonstrative, the parties shall meet and confer in good faith to resolve any objections to demonstratives prior to filing the objections with the Board. If such objections cannot be resolved, the parties may file any objections to demonstratives with the Board no later

than one business day before the hearing. The objections shall identify with particularity which portions of the demonstratives are subject to objection and include a copy of the objected-to portions of the demonstrative and a one-sentence statement of the reason for each objection. No argument or further explanation is permitted. The Board will consider any objections and may reserve ruling on the objections.[8] Any objection to demonstratives that are not timely presented will be considered waived.

Finally, the parties are reminded that each presenter should identify clearly and specifically each paper (e.g., by slide or screen number for a demonstrative) referenced during the hearing to ensure clarity and accuracy of the court reporter's transcript and for the benefit of all participants appearing electronically.

C. Presenting Counsel

The Board generally expects lead counsel for each party to be present at the hearing. *See* Trial Practice Guide § I.B. Any counsel of record may present the party's argument if that counsel is present in person.

D. Remote Attendance Requests

Members of the public may request to listen to and/or view this hearing. If resources are available, the Board generally expects to grant such requests. If either party objects to the Board granting such requests, for example, because confidential information may be discussed (*see supra* n.3), the party must notify the Board at PTABHearings@uspto.gov at least ten business days prior to the hearing date.

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[8] If time permits, the Board may schedule a conference call with the parties to discuss any filed objections.

E. Audio/Visual Equipment Requests

Any special requests for audio-visual equipment should be directed to PTABHearings@uspto.gov.[9] A party may also indicate any special requests related to appearing at a video hearing, such as a request to accommodate deaf or hard-of-hearing individuals and blind or low-vision individuals and indicate how the PTAB may accommodate the special request. Any special request must be presented in a separate communication at least five business days before the hearing date.

F. Legal Experience and Advancement Program

Parties are encouraged to participate in the LEAP program.[10] Either party may request that a qualifying LEAP practitioner participate in the program and conduct at least a portion of the party's oral argument. The Board will grant up to 15 minutes of additional argument time to that party. A party should submit the LEAP Practitioner Verification Form and Request for Oral Hearing Participation, at least 5 business days before the oral hearing, by email to the Board at PTABHearings@uspto.gov.

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[9] In their Requests for Oral Hearing/Argument, both Petitioner and Patent Owner seek to have certain audio-visual equipment made available at the hearing. Paper 43, 2; Paper 44, 2. The requests made in these papers do not obviate the parties' obligation to contact PTABHearings@uspto.gov.

[10] Information about the LEAP program and the combined LEAP Practitioner Request for Oral Hearing Participation and Verification Form can be found at www.uspto.gov/leap.

II. ORDER

Accordingly, it is

ORDERED that a telephonic pre-hearing conference for this proceeding shall be held on August 17, 2026, at 1:00 pm Eastern Time; and

FURTHER ORDERED that oral argument for this proceeding shall commence at 1:00 pm Eastern Time on August 31, 2026, at the USPTO Headquarters in Alexandria, Virginia, and proceed in the manner set forth herein.

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