From: Cohen, Alexis
To: Chen, Reuben; Knight, Dustin M; Pivovar, Adam; Chang, HanByul; Gonzalez, Juan Pablo; Flanagan, Betsy
Cc: Khan, Omar; Nyman, Patrick E.; Graber, Jennifer L.; Macro, Laura; Moussa, Akkad Y.; Dennhardt, Jeffrey
Subject: RE: PGR2025-00084 & PGR2025-00088: Motions to Seal and For Entry of the Default Protective Order
Date: Friday, December 12, 2025 3:20:13 PM

Reuben,

Your email is not responsive to my prior email. We understand the Director authorized motions to seal, but the memorandum did not (and cannot) supersede codified federal regulations which outline the necessary procedures for filing protective orders, which you have failed to undertake. You have also now filed untimely redactions that raise other concerns.

Please confirm whether you will comply with the default protective order and provide the declaration to Beckman Coulter if it signs the acknowledgement form.

Alexis

From: Chen, Reuben <rchen@cooley.com>
Sent: Monday, December 8, 2025 11:15 PM
To: Cohen, Alexis <Alexis.Cohen@wilmerhale.com>; Knight, Dustin M <dknight@cooley.com>; Pivovar, Adam <apivovar@cooley.com>; Chang, HanByul <HanByul.Chang@cooley.com>; Gonzalez, Juan Pablo <jgonzalez@cooley.com>; Flanagan, Betsy <bflanagan@cooley.com>
Cc: Khan, Omar <Omar.Khan@wilmerhale.com>; Nyman, Patrick E. <Patrick.Nyman@wilmerhale.com>; Graber, Jennifer L. <Jennifer.Graber@wilmerhale.com>; Macro, Laura <Laura.Macro@wilmerhale.com>; Moussa, Akkad Y. <Akkad.Moussa@wilmerhale.com>; Dennhardt, Jeffrey <Jeffrey.Dennhardt@wilmerhale.com>
Subject: RE: PGR2025-00084 & PGR2025-00088: Motions to Seal and For Entry of the Default Protective Order

EXTERNAL SENDER

Counsel,

We were specifically authorized to file under seal for in camera review pursuant to Director Squires November 17, 2025 memorandum.

Best,
Reuben

Reuben Chen

Cooley LLP

(650) 843-5480
rchen@cooley.com
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From: Cohen, Alexis <Alexis.Cohen@wilmerhale.com>
Sent: Thursday, December 4, 2025 5:27 PM
To: Knight, Dustin M <dknight@cooley.com>; Chen, Reuben <rchen@cooley.com>; Pivovar, Adam <apivovar@cooley.com>; Chang, HanByul <HanByul.Chang@cooley.com>
Cc: Khan, Omar <Omar.Khan@wilmerhale.com>; Nyman, Patrick E. <Patrick.Nyman@wilmerhale.com>; Graber, Jennifer L. <Jennifer.Graber@wilmerhale.com>; Macro, Laura <Laura.Macro@wilmerhale.com>; Moussa, Akkad Y. <Akkad.Moussa@wilmerhale.com>; Dennhardt, Jeffrey <Jeffrey.Dennhardt@wilmerhale.com>; Cohen, Alexis <Alexis.Cohen@wilmerhale.com>
Subject: PGR2025-00084 & PGR2025-00088: Motions to Seal and For Entry of the Default Protective Order

Counsel,

I write regarding Petitioner's Motions to Seal and For Entry of the Default Protective Order.

As a preliminary matter, your motions are defective under 37 CFR § 42.54(a) because they do not "include a certification that the moving party has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute." As you are aware, Petitioner did not attempt to meet-and-confer with Patent Owner before filing. That is improper.

Further, under the Default Protective Order Petitioner seeks to have entered, Patent Owner will be granted access to Protective Order Material if it signs the Standard Acknowledgement. If Patent Owner were to agree to enter the Default Protective Order and sign the acknowledgment form, would Petitioner agree to providing us the search disclosure declaration? The answer to that question appears to be no, which is inconsistent with the Default Protective Order.

Please advise by Monday December 8 so that we can act accordingly under 37 CFR § 42.25. We may oppose the motions at least for Petitioner's failure to comply with regulation and for modifying the default protective order despite representing otherwise.

Regards,
Alexis

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