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To: [David H. Holman](#); [Trials](#)
Cc: [naveenmodi@paulhastings.com](#); [Bansal, Chetan R.](#); [PH-Ascendis-BioMarin-PGR](#); [Landes, Gabrielle](#); [Olga A. Partington](#); [Prati Khanduri](#)
Subject: RE: PGR2026-00013 – Request for authorization to file Joint Motion to Terminate
Date: Wednesday, September 16, 2026 4:40:48 PM
Attachments: [image002.png](#)
[image003.png](#)

Counsel,

The parties' request for authorization to file (1) joint motion to terminate the proceeding and (2) a copy of the binding term sheet as business confidential information, is granted. The parties are reminded, however, that 35 U.S.C. § 327 states that "[a]ny agreement or understanding between the patent owner and a petitioner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of a post-grant review under this section shall be in writing and a true copy of such agreement or understanding shall be filed in the Office before the termination of the post-grant review as between the parties." The parties should consider whether filing only the binding term sheet satisfies the requirement of 35 U.S.C. § 327.

Regards,

Andrew Kellogg

Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
U.S. Patent and Trademark Office



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From: David H. Holman <DHOLMAN@sternekessler.com>
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Subject: PGR2026-00013 – Request for authorization to file Joint Motion to Terminate

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Dear Honorable Board:

The parties in PGR2026-00013 write to inform the Board that they have executed a binding settlement term sheet and request authorization to file a Joint Motion to Terminate the proceeding, along with a copy of the binding term sheet as business confidential information. Upon the Board's authorization, the parties plan to file the termination papers by September 24, in advance of the September 30 deadline for the Patent Owner's Response.

Respectfully,
David Holman
Lead Counsel for Petitioner

David Holman, Ph.D.

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