Reed, David

From: Vincent Capuano <vlc@capuanoip.com>
Sent: Tuesday, September 22, 2026 9:17 AM
To: Trials
Cc: Ferrario, Matias; Reed, David; Neil Shull; Jeffrey Mills
Subject: PGR2026-00026 (Albaugh v. BASF) - Petitioner's Request for Leave to Update Mandatory Notices

CAUTION: External Email

Dear Honorable Board,

Petitioner respectfully requests leave to file Updated Mandatory Notices under 37 CFR 42.8(a)(3) to list Patent Owner's U.S. Appln. No. 19/056,282 (filed February 18, 2025) as a Related Matter.

Petitioner first became aware that U.S. Appln. No. 19/056,282 was a related matter when it was cited by Patent Owner's Declarant Mr. Meiner (Ex. 2033) in support of Patent Owner's Preliminary Response (Paper 10). This PGR was instituted on July 28, 2026 (Paper 12). Petitioner respectfully requests that the Board waive the 21-day deadline for updating mandatory disclosures under 37 CFR 42.5(c)(3). Good cause exists to waive the deadline, because related pending applications must be updated as related matters for the PTAB to correctly apply statutory estoppel rules, maintain transparency, prevent conflicting decisions, and ensure administrative efficiency. Patent Owner is not prejudiced by Petitioner's update as Patent Owner has not yet filed its Patent Owner Response or taken discovery, and because Patent Owner is also able to update its Mandatory Disclosures accordingly.

Petitioner's counsel contacted counsel for Patent Owner, who indicated that Patent Owner does not oppose Petitioner's request.

The parties are available at the Board's convenience should the Board wish to hold a conference call.

Thank you,

Vincent L. Capuano, Ph.D., Reg. No. 42,385
Lead Counsel for Petitioner

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Cc: Counsel of Record

Patent Owner BASF SE
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