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Paper 16
Date: July 23, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BIOCON BIOLOGICS, INC. and BIOCON BIOLOGICS LIMITED,
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

PGR2026-00039
Patent 12,168,036 B2

Before KALYAN K. DESHPANDE, *Chief Administrative Patent Judge*.

ORDER
Granting Patent Owner's Unopposed Motion to Excuse Late Filing
37 C.F.R. § 42.5(c)(3)

Regeneron Pharmaceuticals, Inc. ("Patent Owner") filed an unopposed Motion requesting that the Board excuse the late filing of its Exhibits to Patent Owner's Discretionary Denial Brief ("Motion").

In its Motion, Patent Owner explains that due to the unavailability of its declarant, Daniel Van Plew, until late in the evening of June 8, 2026 (the Due Date for submitting its Discretionary Denial Brief), Patent Owner was unable to file Exhibits 2001 to 2016 until June 9, 2026 at 12:12 a.m. Motion 1–2. Patent Owner asserts that good cause exists for excusing this late action because (1) "Petitioners were timely served with the Discretionary Denial Brief and its Exhibits before midnight on the due date" and, thus, "have not suffered any prejudice as a result of Patent Owner's delay in filing," (2) "striking Patent Owner's Exhibits would significantly prejudice Patent Owner by eliminating Patent Owner's opportunity to fully argue in favor of discretionary denial," and (3) "the Director and the Board would benefit from a full record on which to decide institution." *Id.* at 3–4.

Having considered Patent Owner's Motion, we determine that good cause exists for Patent Owner's late filing and that our acceptance and consideration of the late filing would be in the interests of justice. For the above reasons, we grant Patent Owner's Motion.

It is:

ORDERED that the Motion is *granted*; and

FURTHER ORDERED that Patent Owner's late action of filing Exhibits 2001 to 2016 on June 9, 2026 is excused; these Exhibits are accepted and will be considered in due course.

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