

From: [Trials](#)
To: [Bill Flanigen](#); [Trials](#); [David H. Holman](#)
Cc: [Olga A. Partington](#); [Prati Khanduri](#); [Eric Steffe](#); roger.lee@bipc.com; [Todd Walters](#); [David M. Knapp](#); [Jacob Britz](#); [PH-Ascendis-BioMarin-PGR](#)
Subject: RE: PGR2026-00013 // PGR2026-00055 // Motion for Joinder
Date: Tuesday, July 7, 2026 1:13:32 PM
Attachments: [image001.png](#)
[image002.png](#)

Counsel,

Ascendis is authorized to email their opposition to Trials@uspto.gov, no later than July 7, 2026. The Board will file the opposition as a paper in PGR2026-00055 shortly thereafter

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
andrew.kellogg@uspto.gov
(571) 272-5366



From: Bill Flanigen <BFLANIGEN@sternekessler.com>
Sent: Monday, July 6, 2026 8:23 PM
To: Trials <Trials@USPTO.GOV>; David H. Holman <DHOLMAN@sternekessler.com>
Cc: Olga A. Partington <OPARTINGTON@sternekessler.com>; Prati Khanduri <PKHANDURI@sternekessler.com>; Eric Steffe <ESTEFFE@sternekessler.com>; roger.lee@bipc.com; [Todd Walters <todd.walters@bipc.com>](mailto:Todd.Walters@bipc.com); [David M. Knapp <david.knapp@bipc.com>](mailto:David.Knapp@bipc.com); [Jacob Britz <jacob.britz@bipc.com>](mailto:jacob.britz@bipc.com); PH-Ascendis-BioMarin-PGR <ph-ascendis-biomarin-pgr@paulhastings.com>
Subject: RE: PGR2026-00013 // PGR2026-00055 // Motion for Joinder

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Honorable Board,

In order for Ascendis to file its Opposition in PGR2026-00055, counsel for Ascendis will need temporary filing privileges in that proceeding.

Accordingly, counsel for Ascendis requests that the MyUSPTO account for lead counsel David Holman (dholman-PTAB@sternekessler.com) be given filing privileges in PGR2026-00055 for the purpose of filing the Opposition.

Thanks and regards,

Bill Flanigen
(on behalf of David H. Holman)

Bill Flanigen (he/him) Manager, PTO Litigation bflanigen@sternekessler.com	202-772-8693 direct 202-371-2600 main
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Sterne, Kessler, Goldstein & Fox PLLC
1101 K Street NW, 10th Floor, Washington, DC 20005

From: Trials <Trials@USPTO.GOV>

Sent: Thursday, June 25, 2026 2:56 PM

To: David H. Holman <DHOLMAN@sternekessler.com>; Trials <Trials@USPTO.GOV>

Cc: Olga A. Partington <OPARTINGTON@sternekessler.com>; Prati Khanduri <PKHANDURI@sternekessler.com>; Eric Steffe <ESTEFFE@sternekessler.com>; roger.lee@bipc.com; Todd Walters <todd.walters@bipc.com>; David M. Knapp <david.knapp@bipc.com>; Jacob Britz <jacob.britz@bipc.com>; PH-Ascendis-BioMarin-PGR <ph-ascendis-biomarin-pgr@paulhastings.com>

Subject: RE: PGR2026-00013 // PGR2026-00055 // Motion for Joinder

EXTERNAL EMAIL: Use caution before clicking links or attachments.
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Counsel,

Ascendis is authorized to file a 5-page opposition in PGR2026-00055, due no later than July 7, 2026, limited to addressing the motion for joinder filed by Zydus. Zydus is authorized to file a 5-page reply to the opposition, due no later than July 16, 2026, limited to addressing the same issues.

The parties should file their briefs as papers in P-TACTS.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO

andrew.kellogg@uspto.gov
(571) 272-5366



From: David H. Holman <DHOLMAN@sternekessler.com>
Sent: Wednesday, June 17, 2026 3:59 PM
To: Trials <Trials@USPTO.GOV>
Cc: Olga A. Partington <OPARTINGTON@sternekessler.com>; Prati Khanduri <PKHANDURI@sternekessler.com>; Eric Steffe <ESTEFFE@sternekessler.com>; roger.lee@bipc.com; Todd Walters <todd.walters@bipc.com>; David M. Knapp <david.knapp@bipc.com>; Jacob Britz <jacob.britz@bipc.com>; PH-Ascendis-BioMarin-PGR <ph-ascendis-biomarin-pgr@paulhastings.com>
Subject: PGR2026-00013 // PGR2026-00055 // Motion for Joinder

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Dear Honorable Board,

Ascendis Pharma A/S respectfully requests authorization to file an opposition to Petitioner Zydus Lifesciences Ltd.'s motion for joinder filed in PGR2026-00055, *Zydus et al. v. BioMarin Pharmaceutical Inc.* (the "Zydus -055 PGR").

Ascendis is the Petitioner in the instituted PGR proceeding, PGR2026-00013, *Ascendis Pharma A/S v. BioMarin Pharmaceutical Inc.*, (the "Ascendis -013 PGR"). The Ascendis -013 PGR challenges U.S. Patent No. 12,233,106, assigned to BioMarin. The '106 patent issued on February 25, 2025, and its statutory timeframe for PGR eligibility under 35 U.S.C. § 321(c) expired on November 25, 2025. The Director instituted the Ascendis -013 PGR on May 6, 2026.

On June 5, 2026, Zydus Lifesciences Ltd., Zydus Lifesciences Global FZE, and Zydus Pharmaceuticals (USA) Inc. (collectively, "Zydus") filed a PGR petition challenging the '106 patent (PGR2026-00055), along with a motion for joinder to the Ascendis -013 PGR.

Zydus's PGR petition is not only untimely under § 321(c), but joinder to the Ascendis -013 PGR would lead to logistical ambiguities and upset the current Ascendis -013 PGR trial schedule set by the Board. Ascendis believes that the Board would benefit from further briefing on these issues, and

therefore respectfully requests authorization to file an opposition to Zydus's motion for joinder filed in the Zydus -055 PGR.

Counsel for Zydus has indicated that Zydus does not oppose Ascendis's request, provided that Zydus receives a commensurate reply to Ascendis's opposition to be due within 10 business days following the filing of any opposition. Ascendis is amenable to Zydus's request for a commensurate reply.

Counsel for BioMarin has indicated that BioMarin does not oppose Ascendis's request.

Should the Board deem a teleconference necessary, counsel for Ascendis, Zydus, and BioMarin can be available for a call on Thursday, June 25, or Friday, June 26.

Respectfully,

David Holman
Counsel for Ascendis

David Holman, Ph.D.

Director

dholman@sternekessler.com



Sterne Kessler
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