| | |
|---|---|
| **From:** | Trials |
| **To:** | Steven Moore; Trials; Hickman, Luca |
| **Cc:** | VanDeusen, Christopher; Khariton, Oleg; Director_Discretionary_Decision; Holmes, Brandon; Donald McPhail; Emily Heim; liuhanchen |
| **Subject:** | RE: PGR2026-00066 \| Request for Hearing to Discuss Extensions Necessitated by Expert Hospitalization |
| **Date:** | Wednesday, October 14, 2026 3:01:02 PM |
| **Attachments:** | image001.png<br>image006.png |

Counsel,

The extension only applies to Patent Owner's Preliminary Response for PGR2026-00066. Petitioner may submit a request to Director_Discretionary_Decision@uspto.gov to extend the due date for Petitioner's opposition to the discretionary denial brief, prior to the due date for the opposition. Petitioner should explain the need for this extension.

Regards,

**Andrew Kellogg**
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
U S P T O logo
andrew.kellogg@uspto.gov
571-272-5366

**From:** Steven Moore
**Sent:** Wednesday, October 14, 2026 12:23 PM
**To:** Trials ; Hickman, Luca
**Cc:** VanDeusen, Christopher ; Khariton, Oleg ; Holmes, Brandon ; Donald McPhail ; Emily Heim ; liuhanchen
**Subject:** RE: PGR2026-00066 | Request for Hearing to Discuss Extensions Necessitated by Expert Hospitalization

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Dear Board,

Does this extension equally apply to the Petitioners response to the Patent Owner's Discretionary Denial brief?

Regards

Steven A. Moore, JD., Ph.D.
Director

VANGUARD CREST PC
Main: (771) 777-8280
Direct: (771) 777-8283
E: smoore@vanguardcrest.com

**From:** Trials <Trials@USPTO.GOV>

**Sent:** Wednesday, October 14, 2026 9:17 AM
**To:** Hickman, Luca <Luca.Hickman@Dinsmore.com>; Trials <Trials@USPTO.GOV>
**Cc:** VanDeusen, Christopher <Christopher.VanDeusen@Dinsmore.com>; Khariton, Oleg <Oleg.Khariton@DINSMORE.COM>; Holmes, Brandon <Brandon.Holmes@DINSMORE.COM>; Steven Moore <smoore@vanguardcrest.com>; Donald McPhail <dmcphail@vanguardcrest.com>; Emily Heim <eheim@vanguardcrest.com>; liuhanchen <liuhanchen@concordsage.com>
**Subject:** RE: PGR2026-00066 | Request for Hearing to Discuss Extensions Necessitated by Expert Hospitalization

Counsel,

Patent Owner's deadline for filing their Preliminary Response is extended to November 2, 2026.

Regards,

**Andrew Kellogg**
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
U S P T O logo
andrew.kellogg@uspto.gov
571-272-5366

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**From:** Hickman, Luca <Luca.Hickman@Dinsmore.com>
**Sent:** Monday, October 12, 2026 12:55 PM
**To:** Trials <Trials@USPTO.GOV>
**Cc:** VanDeusen, Christopher <Christopher.VanDeusen@Dinsmore.com>; Khariton, Oleg <Oleg.Khariton@DINSMORE.COM>; Holmes, Brandon <Brandon.Holmes@DINSMORE.COM>; Steven Moore <smoore@vanguardcrest.com>; Donald McPhail <dmcphail@vanguardcrest.com>; Emily Heim <eheim@vanguardcrest.com>; liuhanchen <liuhanchen@concordsage.com>
**Subject:** PGR2026-00066 | Request for Hearing to Discuss Extensions Necessitated by Expert Hospitalization

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Dear Sir or Madam:

Regarding PGR2026-00066, we write on behalf of Patent Owner PetPivot, Inc.

PetPivot's patent owner preliminary response ("***POPR***") is due to be filed by October 19, 2026 (as the date set in Paper 3, Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, October 17, 2026, is a Saturday). It intends to file a POPR and to submit, in support, a declaration of its retained expert in this matter, Dr. Steven M. Tipton, Ph.D.

Today (October 12, 2026) PetPivot learned that Dr. Tipton has been hospitalized to treat an infected lesion on his liver. He remains hospitalized for ongoing treatment and monitoring, and no discharge date has been set. Dr. Tipton's hospitalization substantially hinders his ability to participate in discussions regarding the POPR, as he is undergoing medical treatment at the hospital. Consequently, PetPivot intends to seek a short extension of the deadline for its POPR, through November 2, 2026. Petitioner Fenun, Inc. does not oppose the extension.

Petitioner Fenun, Inc. intends to seek an extension of its deadline to respond to PetPivot's discretionary denial brief, Paper 6, by the same two-week duration as PetPivot seeks for its POPR. PetPivot does not oppose that extension.

The parties are writing to arrange for a conference call with the Board and the parties to discuss these requests for relief with the judge handling the proceeding. A call will enable expeditious resolution of these requests, which is needed in light of the present deadlines and unexpected change in circumstances. No exhibits or other materials are contemplated. The parties do not intend to provide a court reporter for the call but are happy to arrange one if needed.

The parties are available for this call (all times Eastern):

- Today: Anytime after 11am
- Tuesday: Anytime after 11am
- Wed:11am-3pm; 4pm-6pm
- Thursday: 12-1pm; 2pm-6pm
- Friday: Anytime after 11am

Sincerely,

Luca Hickman

**Luca L. Hickman**
Partner



dinsmore.com

**T** (813) 543-9835

**F** (813) 543-9849

**E** Luca.Hickman@Dinsmore.com

Tampa City Center, 201 North Franklin Street, Suite 3050
Tampa, FL 33602

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