

From: [Trials](#)
To: [James, Colleen Tracy](#); [Trials](#)
Cc: [PH-Xencor-Merus-IPR](#); [Armenio, Peter J.](#); [Mangiaratti, Camille](#); [Lee, Nick](#)
Subject: RE: IPR2025-00604 and IPR2025-00605 Xencor, Inc. v. Merus N.V.
Date: Tuesday, October 28, 2025 1:41:06 PM
Attachments: [image001.png](#)

Counsel,

The Board finds no conference call to be necessary to discuss Patent Owner's request to file supplemental information and authorizes Patent Owner to file, no later than the date of Patent Owner's Response, the documents set forth in Patent Owner's email below.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
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(571) 272-5366



From: James, Colleen Tracy <CTracyJames@cahill.com>
Sent: Monday, October 27, 2025 5:35 PM
To: Trials <Trials@USPTO.GOV>
Cc: PH-Xencor-Merus-IPR <PH-Xencor-Merus-IPR@paulhastings.com>; Armenio, Peter J. <PArmenio@cahill.com>; Mangiaratti, Camille <CMangiaratti@cahill.com>; Lee, Nick <nhlee@cahill.com>
Subject: IPR2025-00604 and IPR2025-00605 Xencor, Inc. v. Merus N.V.

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Your Honors,

Pursuant to 37 CFR § 42.123 and Scheduling Order dated September 26, 2025, Patent owner respectfully requests an initial conference call and authorization to file a motion to submit supplemental information in IPR2025-00604 and IPR2025-00605. This request is being timely made within 30 days of the Decision of Institution dated September 26, 2025.

The parties in these proceedings are Xencor, Inc. (Petitioner) and Merus N.V. (Patent Owner).

The supplemental information that Patent Owner would move to submit, if authorized, would include (1) a supplemental declaration by an additional expert addressing the statements in the Institution Decision relating to independent claims and dependent claims, (2) a second declaration by Dr. Sutton addressing the statements in the Institution Decision relating to independent claims and dependent claims, and (3) scientific papers supporting the supplemental declaration. The supplemental declaration would explain the relevance of the scientific papers.

Patent Owner has conferred with Petitioner. Petitioner has provided its position as follows: Without acquiescing to the propriety of the underlying materials, Petitioner does not oppose Patent Owner filing the proposed materials as supplemental information provided the materials are not filed after the deadline for Patent Owner’s Response. Petitioner does not believe a call or further briefing is necessary on this issue.

Should the Board desire an initial call to discuss this request, the parties are available the afternoon of October 29-November 6 (ET).

Respectfully,

Colleen Tracy James

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