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# Transcript of Telephonic Conference Call

**Date:** December 2, 2025

**Case:** CSPC Megalith Biopharmaceutical Co., Ltd -v- Shanghai Miracogen Inc.

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WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

Transcript of Telephonic Conference Call  
Conducted on December 2, 2025

<p>1 UNITED STATES PATENT AND TRADEMARK OFFICE 2 BEFORE THE PATENT TRIAL AND APPEAL BOARD 3 ----- 4 CSPC MEGALITH BIOPHARMACEUTICAL ) No. IPR2025-00685 5 CO., LTD, ) 6 Petitioner, ) 7 vs. ) 8 SHANGHAI MIRACOGEN, INC., ) 9 Patent Owner. ) 10 ----- 11 TELEPHONIC CONFERENCE CALL 12 ----- 13 JUDGE JEFFREY N. FREDMAN 14 JUDGE RYAN H. FLAX 15 JUDGES PRESIDING 16 17 Tuesday, December 2, 2025 18 7:00 a.m. Pacific Standard Time 19 20 Pages 1-12 21 Job No. 611070 22 Reported By: Nichole Forrest, RDR, RMR, CRR, CRC Stenographic California CSR No. 13527</p>	<p>1 TUESDAY, DECEMBER 2, 2025 2 7:00 AM PST 3 ----- 4 (The following proceedings held telephonically.) 5 6 JUDGE FREDMAN: Good morning, everyone. 7 This is Judge Fredman. I'm here with Judge Flax. We 8 have a conference on IPR2025-00685. 9 First, I guess, can the parties introduce 10 themselves and their associates. And do we have a 11 court reporter? 12 THE STENOGRAPHER: Yes, sir. My name is 13 Nichole Forrest. 14 JUDGE FREDMAN: For which party? 15 THE STENOGRAPHER: Oh, I'm sorry. I'm the 16 court reporter. 17 JUDGE FREDMAN: Okay. So we have a court 18 reporter. 19 THE STENOGRAPHER: And I'm sorry, Judge, I 20 didn't get your -- 21 JUDGE FREDMAN: This is Judge Fredman, 22 F-R-E-D-M-A-N, and Judge Flax is F-L-A-X.</p>
<p>1 APPEARANCES 2 ALL PARTIES APPEARED TELEPHONICALLY 3 4 PATENT TRIAL APPEAL BOARD: 5 JUDGE JEFFREY N. FREDMAN 6 JUDGE JOHN G. NEW 7 8 FOR THE PETITIONER: 9 FOX ROTHSCHILD 10 HOWARD S. SUH, ESQ. 11 JOE CHEN, Ph.D., ESQ. 12 101 Park Avenue 13 17th Floor 14 New York, New York 10178 15 212-878-7900 16 hsuh@foxrothschild.com 17 18 FOR THE PATENT OWNER: 19 SHEPPARD MULLIN RICHTER &amp; HAMPTON 20 FANGZHOU QIU, ESQ. 21 CHRISTOPHER PONDER, ESQ. 22 1540 El Camino Real Suite 120 Menlo Park, California 94025 650-815-2600 fqiu@sheppardmullin.com cponder@sheppardmullin.com</p>	<p>1 THE STENOGRAPHER: Thank you, sir. 2 JUDGE FREDMAN: And then who is for 3 petitioner? 4 MR. SUH: Good morning, Judges Fredman and 5 Judge Flax. This is Howard Suh from the law firm of 6 Fox Rothschild representing Petitioner CSPC Megalith. 7 JUDGE FREDMAN: And then for patent owner? 8 MR. QIU: Good morning, Your Honors. This 9 is Fangzhou Qiu for Patent Owner Shanghai Miracogen. 10 Christopher Ponder for Patent Owner is also on the 11 line. 12 JUDGE FREDMAN: Thank you. And who 13 arranged for the court reporter, just so that we know? 14 MR. QIU: The patent owner obtained the 15 court reporter. 16 THE STENOGRAPHER: Could I get the last 17 individual? I just didn't understand the name. 18 MR. QIU: Are you asking for the patent 19 owner counsel? Fangzhou Qiu. So we have emailed the 20 you names. My name is F-A-N-G-Z-H-O-U, and last name 21 is Q-I-U. Other counsel for patent owner is 22 Christopher Ponder, P-O-N-D-E-R.</p>

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1 THE COURT REPORTER: Thank you, sir. 2 JUDGE FREDMAN: Thank you. So -- 3 MR. SUH: I'm sorry, Your Honor -- 4 JUDGE FREDMAN: Yes? 5 MR. SUH: This is petitioner. I also 6 believe that my colleague, Dr. Joseph Chen, C-H-E-N, 7 is also on the call as well. 8 JUDGE FREDMAN: Thank you. 9 So let's go to the question at issue. 10 Essentially, I guess we're being asked by patent owner 11 to extend, and the petitioner wants to, in response, 12 get more time, because otherwise their time would be 13 compressed. 14 The question that I have for patent owner 15 to begin with, I think, is: Are you planning to file 16 an amendment, or are you not planning to file an 17 amendment? 18 MR. QIU: We do not intend to file an 19 amendment. 20 JUDGE FREDMAN: Okay. Would you be 21 willing to certify that you won't file an amendment? 22 MR. QIU: Yes, we can do that.	1 You know, the idea that the holidays may 2 be intervening, but at the same time, trial was 3 instituted back in October. So that's our position as 4 of now, as of today. I mean, we just don't think that 5 showing of good cause was made and that -- 6 JUDGE FREDMAN: Okay. 7 MR. SUH: -- issues such as convenience is 8 just not good cause. 9 THE STENOGRAPHER: And, I'm sorry, sir. 10 Could I confirm who was just speaking? I'm sorry. 11 MR. SUH: That's Howard Suh, S-U-H, for 12 petitioner. 13 JUDGE FREDMAN: Do you feel like you would 14 be prejudiced, or you just feel like the patent owner 15 hasn't shown good cause? 16 MR. SUH: You know, by virtue of the fact 17 that, like you said, since the other side has 18 certified that there's no -- there's not going to be 19 an amendment, we do recognize that there's a time 20 period before oral arguments where -- it doesn't like 21 we're going to be prejudiced. It does look like, you 22 know, oral arguments are going to be postponed, or the
6	8
1 JUDGE FREDMAN: Okay. So if you're going 2 to file an amendment, then our time is not as 3 compressed at that point. So it becomes less of a 4 problem for the board because we don't have to 5 do preliminary write-ups. 6 So, Petitioner, in that case, if we 7 granted both their time extension and, assuming the 8 parties would agree, and your time extension, would 9 that be acceptable? 10 MR. SUH: Your Honor, as much as, you 11 know, we would like to accommodate requests such as 12 like this based upon things like convenience, you 13 know, we did consult with our client, and our client 14 was pretty adamant that they did not want to consent 15 to any type of request for an extension or any 16 acknowledgment of good cause. 17 You know, that being said, I think it is 18 really upon patent owner's responsibility and 19 obligation to show good cause, and, you know, to the 20 extent that we're opposing the request, it's only 21 because we don't think that they've actually made such 22 a showing of good cause.	1 actual end of the deadline is going to be postponed. 2 But this is really just -- this is really 3 a situation where we just don't think that good cause 4 was established. 5 JUDGE FREDMAN: Okay. Thank you. 6 And, Patent Owner, now would you like to 7 address briefly why you think there is good cause? 8 MR. QIU: Yes, Your Honor. So for this 9 case, the scheduling order was issued October 17. I 10 think the deadline for the POR is January 7. 11 In this less than three-month period, it 12 covers three major holidays: Thanksgiving, Christmas, 13 and New Year; thus resulting in fewer working days for 14 patent owner to prepare for the deposition of 15 petitioner's expert and to prepare the POR. And we 16 note those major holidays all fall in the period for 17 patent owner to prepare POR and not the next period 18 where petitioner prepares to reply. 19 Furthermore, counsel for patent owner will 20 have rescheduled travel plans during the holidays. 21 For example, we travel during Thanksgiving, and we 22 also have travel plans during the period of December

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3 (9 to 12)

9	1 17th to 29th. This will further compress the amount 2 of time we have to prepare the POR. 3 In addition, we have obligations for other 4 cases in this period. For example, for one unrelated 5 [indiscernible] case, the discovery will close on 6 December 19th. That will require counsel for patent 7 owner to extend lots of depositions, handle production 8 of documents, and handle potential discovery motions. 9 Furthermore, the opening expert report is 10 due [indiscernible] 2nd for that case, requiring 11 additional time from patent owner's counsel. 12 In addition, there's another case that the 13 deadline for responding to the complaint will fall in 14 December as well. 15 So those other scheduling conflicts, we 16 believe it provides good cause for extension. And 17 there has been cases in the past where the board has 18 granted extensions of two weeks for similar 19 situations. 20 For example, in IPR2017-00684 at Paper 14 21 and PGR2018-00025, Paper 22. So we believe there is 22 good cause.	11	1 Howard Suh speaking for the petitioner. 2 JUDGE FREDMAN: Thank you, Mr. Suh. 3 So we are going to grant that, and we'll 4 send out an order amending that schedule in fairly 5 short time, but in the next week or so. Those will be 6 three dates for those 3.2 dates. 7 And do we have any other things we need to 8 discuss here? 9 MR. SUH: Nothing from petitioner, Your 10 Honor. 11 MR. QIU: Nothing from patent owner 12 either, Your Honor. 13 JUDGE FREDMAN: And if you'd just have the 14 reporter submit the transcript as soon as you 15 reasonably can get it in, that would be helpful. 16 We'll try and get out the orders as soon as we get 17 that. 18 Thank you, and I guess this call can be 19 concluded. Thank you, everybody. 20 (Telephonic conference concluded at 7:08 a.m.) 21 22
10	1 And in addition to that, we understand 2 that given this very short extension, Petitioner does 3 not [indiscernible] prejudice. So we believe there is 4 good reason to grant the extension. 5 JUDGE FREDMAN: Okay. Thank you. I 6 think, having consulted over chat with my colleague, 7 that we believe the balance between the burden on the 8 parties and the board and good cause weighs in favor 9 here of giving the extensions, because it doesn't 10 really impact the trial in terms of the conclusion 11 date; and given the certification that there will not 12 be an amendment. 13 So we are going to grant this extension, 14 and we're going to, of course, grant the same 15 extension that petitioner requests as well. So that 16 due date one will be extended -- and correct me if I'm 17 saying any of this wrong -- to January 21st, 2026; and 18 petitioner's due date two will be extended to May 1st, 19 2026, and patent owner's sur-reply will be extended to 20 June 13, 2026. 21 MR. SUH: I believe that's right. I 22 believe that's what the counter-proposal was. This is	12	1 COURT REPORTER'S CERTIFICATE 2 _____ 3 4 5 I hereby certify that pursuant to Title 6 28, Section 753 United States Code, the foregoing 7 telephonic conference is a true and correct transcript 8 of the stenographically reported proceedings in the 9 above matter. 10 11 12 Certified on 7th day of December, 2025. 13 14 <u>Nichole Forrest</u> 15 Nichole Forrest, RDR, CRR, CRC 16 17 18 19 20 21 22

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