

From: [Trials](#)
To: [Walter, Derek C.](#); [BioRad-Chromacode](#); [LegalTm-CC-Caltech-v-BioRad](#)
Cc: [Trials](#)
Subject: RE: Bio-Rad v. California Institute of Technology, IPR 2025-01546 involving U.S. Patent No. 12,168,797
Date: Thursday, February 12, 2026 12:36:32 PM
Attachments: [image001.png](#)

Counsel,

Petitioner is authorized to file the claim construction order as an exhibit and to file a 1-page preliminary reply in IPR2025-01546, due by the close of business on February 18, 2026. Patent Owner is authorized to file a 1-page preliminary sur-reply due no later than February 23, 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
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From: Walter, Derek C. <dwalter@jonesday.com>
Sent: Friday, February 6, 2026 11:50 AM
To: Trials <Trials@USPTO.GOV>
Cc: BioRad-Chromacode <BioRad-Chromacode@jonesday.com>; LegalTm-CC-Caltech-v-BioRad <legaltm-cc-caltech-v-biorad@sheppardmullin.com>
Subject: Bio-Rad v. California Institute of Technology, IPR 2025-01546 involving U.S. Patent No. 12,168,797

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Dear Board:

Pursuant to 37 CFR 42.8(b)(2), Petitioner writes to update the Board regarding claim construction proceedings in parallel district court litigation related to the U.S. Patent 12,168,797 (“the ’797 patent”), which is at issue in IPR2025-01546. Specifically, last Friday, the district court issued its claim construction order regarding the ’797 patent, which is attached hereto and can be filed as an exhibit if the Board wishes.

Petitioner respectfully requests that the parties each be permitted to file a 1-page paper stating their view, if any, on the relevance of the district court’s decisions to the instant IPR proceedings.

Patent Owner opposes the request because it does not believe any further briefing on claim construction is necessary. The Board is capable of reading the claim construction order and determining whether it has any relevance to the current proceedings. However, if the Board permits additional briefing, Patent Owner proposes that Petitioner first file its 1-page paper stating Petitioner’s views and that Patent Owner be given a 1-page response.

Thanks,

Derek

Derek Walter
Partner
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