

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MEDA PHARMACEUTICALS INC. and)	
CIPLA LTD.,)	
)	
Plaintiffs,)	
)	C.A. No. 14-1453-LPS
v.)	
)	
APOTEX INC. and APOTEX CORP.,)	
)	
Defendants.)	

JOINT CLAIM CONSTRUCTION CHART

Pursuant to paragraph 11 of the Scheduling Order (D.I. 18), entered by the Court on April 14, 2015, the parties jointly submit their Joint Claim Construction Chart which provides the parties' respective proposed constructions of the disputed claim terms with citations to the intrinsic evidence in support of their construction as Exhibit A. The parties agree no other terms in the asserted claims require construction at this time. In Exhibits 1-82, the parties submit the sections of the intrinsic record upon which they intend to rely.

In order to simplify the issues for the Court, the parties have agreed not to present expert discovery in the briefs, at the *Markman* hearing, or in their respective technology tutorials. The parties reserve the right to alter their constructions based on further discovery and their continuing analysis. Each party's citations shall not be construed so as to prohibit the parties from addressing the opposing party's designations.

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EXHIBIT A

Exhibit A

Disputed Terms and Proposed Constructions¹

Term	Term/Phrase	Asserted Patent Claim(s)	Plaintiffs' Proposed Construction and Intrinsic Evidence	Defendants' Proposed Construction and Intrinsic Evidence
1	“condition(s)”	'723 patent: 1-4, 7, 8, 10-18, 20-28 '620 patent: 16, 17, 24	<p><u>Proposed Construction</u></p> <p>“condition(s) resulting in or causing allergic reaction(s)”</p> <p><u>Intrinsic Evidence</u></p> <p>'723 patent (MED_DYM_00018010-MED_DYM_00018025): abstract, 1:19-62; 1:66-2:5; 2:16-31; 3:27-32; 3:38-41; 4:7-32; 4:41-53; 4:61-5:4; 5:47-6:2; 6:10-28; 7:1-27; 7:53-64; 8:5-11:47 (Examples 1-14); claims 1, 4-9, 17, 25.</p> <p>'723 patent PH: MED_DYM_11300-MED_DYM_00011301 (November 23, 2011 Examiner-Initiated</p>	<p><u>Proposed Construction</u></p> <p>Plain and ordinary meaning.</p> <p>To the extent the Court determines that this term requires construction, Apotex proposes the following construction: “disease(s) or illness(es).”</p> <p><u>Intrinsic Evidence</u></p> <p>'723 patent: Col. 1:35-62; 2:15-26; 4:41-54; 5:46-58; 6:46-54; 7:19-64; claims 1-4, 7, 8, 10-18, 20-28; MED_DYM_00018010-18025</p> <p>'620 patent: Col. 1:26-33; 2:15-27; 4:41-54; 5:47-59; 6:46-54; 7:19-64; claims 16, 17, 24; MED_DYM_00018026-18041</p>

¹ For all citations, the parties incorporate the corresponding passages in the other patent that are substantially duplicative of the specification, figures and abstract citations cited.

		<p>Interview Summary).</p> <p>MED_DYM_00014516- MED_DYM_00014525 (December 12, 2011 Preliminary Amendment).</p> <p>MED_DYM_00017819- MED_DYM_00017826 (January 26, 2012 Notice of Allowance), <i>see specifically</i> MED_DYM_00017823, MED_DYM_00017825.</p> <p>'620 patent (MED_DYM_00018026- MED_DYM_00018041): abstract, 1:10-60; 2:15-30; 3:25-30; 3:36-39; 4:7-32; 4:41-53; 4:61-5:4; 5:48-6:3; 6:11-28; 7:1-27; 7:53-64; 8:4-11:43 (Examples 1-11 and unnumbered Examples); claims 1, 7, 9, 13-17, 19, 24, 25, 28-30, 47-48.</p> <p>'620 patent PH:</p> <p>MED_DYM_00000002- MED_DYM_00000043 (Transmittal of New Application and PCT/GB03/02557).</p> <p>MED_DYM_00000254- MED_00000275 (January 23, 2009 Office Action), <i>see specifically</i> MED_DYM_00000266,</p>	<p>U.S. Patent App. Pub. 2009/0291143, pp. 1-4, APOTEX_AZFL 0053674-53681</p> <p>U.S. Patent App. Pub. 2009/0318397, pp. 1-4, APOTEX_AZFL 0053682-689</p> <p>U.S. Patent No. 2,837,464, Col. 2, 5; APOTEX_AZFL 0053838-848</p> <p>U.S. Patent No. 3,067,197 Col. 10; APOTEX_AZFL 0053849-859</p> <p>U.S. Patent Application No. 12/879,515, August 16, 2011 Declaration of Dr. Sujeet Rajan, pp. 1-5; APOTEX_AZFL 0061477-481</p> <p>U.S. Patent Application No. 10/518,016 filed as PCT No. PCT/GB03/02557 (WO 03/105856) Original Application, pp. 1, 5-10, 19-23; MED_DYM_0000020-000043</p> <p>PCT application EP02/02317 (WO 02/070490 AI) (published 9/12/02) pp.1-97, MED_DYM_00000143 to 240 at 155</p> <p>July 23, 2009 Response to Office Action, pp. 11-18; MED_DYM_0000288-306</p>
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