

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ENZO LIFE SCIENCES, INC.,

Plaintiff,

v.

AFFYMETRIX, INCORPORATED,

Defendant.

Civil Action No. 12-cv-433-LPS

**PLAINTIFF'S SUPPLEMENTAL INFRINGEMENT CHARTS
FOR AFFYMETRIX**

Pursuant to the Court's Scheduling Order, Plaintiff Enzo Life Sciences, Inc. ("Plaintiff") hereby provides its Supplemental Infringement Charts to Defendant Affymetrix, Inc. ("Affymetrix").

Plaintiff contends that Affymetrix, either alone or in conjunction with others, has directly infringed and continues to directly infringe, literally and/or under the doctrine of equivalents, one or more claims of U.S. Patent No. 7,064,197 ("the '197 patent") (the "Patent-in-Suit") by making, using, offering to sell, selling, and/or importing in or into the United States certain nucleic acid array products, including without limitation:

- a) products based upon GeneChip technology using DNA target sample, including without limitation all Genome-Wide and Human Mapping arrays including Genome-Wide Human SNP Array 6.0, , GeneChip Human SNP 5.0 Assay Kit for Automated Target Preparation, GeneChip Human SNP 6.0 Assay Kit for Automated Target Preparation, for Cytogenetics, Genome-Wide Human SNP Array 5.0, Genome-Wide Human SNP Array 5.0, Made to Order, Genome-Wide Human SNP Array 6.0, atSNPtilx520433 Arabidopsis

Cartridge Array, GeneChip® Human Mapping 500k Array Set, GeneChip® Human Mapping 250K Nsp Array, GeneChip® Human Mapping 250K Sty Array, Made to Order, GeneChip Human Mapping 250K Nsp Assay Kit, GeneChip Human Mapping 250K Sty Assay Kit, Universal 3K Tag ArrayGeneChip® Human Mapping 100k Set, Made to Order, GeneChip Human Mapping 50K Array Xba 240, GeneChip® Human Mapping 50K Array Xba 240, MTO, GeneChip® Human Mapping 50k Array Hind 240, GeneChip® Human Mapping 50K Array Hind 240, MTO, GeneChip® Mapping 50K Xba Assay Kit, MTO, GeneChip® Mapping 50K Hind Assay Kit, MTO, GeneChip® Mapping 10K 2.0 Array, Made to Order, GeneChip® Human Mapping 10k Array Xba 142 2.0, GeneChip® Human Mapping 10K Array Xba 142 2.0, MTO, GeneChip® Mapping 10K Xba Assay Kit, MTO; ; CytoScan HD Array Kit, CytoScan® 750K Array Kit and Reagent Kit Bundle; GeneChip® Universal Tag Arrays, including GeneChip® Universal 3K Tag Arrays; DMET Plus Solution, including DMET Plus Array, DMET™ Plus Premier Pack; GeneChip® Resequencing Assay Kit; GeneChip® SARS Resequencing Array; GeneChip® Chromosome 21/22 2.0R Array; GeneChip® Chromosome 21/22 1.0 Array Se; GeneChip® Human Promoter 1.0R Array; GeneChip® Human Tiling 1.0R Array Set; GeneChip Human Tiling 2.0R Array Set; GeneChip® Mouse Promoter 1.0R Array; GeneChip® Mouse Tiling 1.1 R Array Set; GeneChip® Mouse Tiling 2.0R Array Set; GeneChip® Arabidopsis Tiling 1.0R Array; GeneChip® C. elegans Tiling 1.0R Array; GeneChip® Drosophila Tiling 1.0R Array; GeneChip® Drosophila Tiling 2.0R Array; GeneChip® S. cerevisiae Tiling 1.0R Array; GeneChip® S. pombe Tiling 1.0FR Array; GeneChip® Human Exon ST Arrays, including GeneChip® Human Exon 1.0 ST Array; GeneChip® Human Gene ST Arrays, including

GeneChip® Human Gene 2.0 ST Array; GeneChip® Human Gene 1.0 ST Array;
GeneChip® Mouse Exon ST Arrays, including GeneChip® Mouse Exon 1.0 ST Array;
GeneChip® Mouse Gene ST Arrays, including GeneChip® Mouse Gene 2.0 ST Array
and GeneChip® Mouse Gene 1.0 ST Array; GeneChip® Rat Exon ST Arrays, including
GeneChip® Rat Exon 1.0 ST Array; GeneChip Rat Gene ST Arrays, including
GeneChip® Rat Gene 2.0 ST Array and GeneChip® Rat Gene 1.0 ST Array; CHO Gene
ST Arrays, including CHO Gene 2.0 ST Array; Model and applied research organisms
Gene 1.0 ST Arrays, including Arabidopsis Gene 1.0 ST Array, Bovine Gene 1.0 ST
Array, C. elegans Gene 1.0 ST Array, Canine Gene 1.0 ST Array, Chicken Gene 1.0 ST
Array, Cynomolgus Gene 1.0 ST Array, Cynomolgus + Rhesus Gene 1.0 ST Array,
Drosophila (Melanogaster) Gene 1.0 ST Array, Equine Gene 1.0 ST Array, Feline Gene
1.0 ST Array, Marmoset Gene 1.0 ST Array, Medicago Gene 1.0 ST Array, Ovine Gene
1.0 ST Array, Porcine Gene 1.0 ST Array, Rhesus Gene 1.0 ST Array, Rice, Chinese
build Gene 1.0 ST Array, Rice, Japanese build Gene 1.0 ST Array, Rice, US build Gene
1.0 ST Array, Soybean Gene 1.0 ST Array, Zebra Finch Gene 1.0 ST Array, Zebrafish
Gene 1.0 ST Array; MyGeneChip CustomExpress Arrays; MyGeneChip Custom Arrays;
ENCODE 2.0R Array; GeneChip® Arabidopsis SNP Genotyping and Tiling Array;
Custom Canine SNP Array version 2; CustomSeq® Resequencing Arrays; Cytogenetics
Whole-Genome 2.7M Array; GeneChip® Mouse Diversity Genotyping Array;
GeneChip® Human Mitochondrial Resequencing Array 2.0; GeneChip® Lettuce
(Lactuca sativa) SNP Genotyping Array; GeneChip® Pepper (Capsicum) SNP
Genotyping Array; GeneChip® Rice 44k Genotyping Array, Human Gene ST Array
Plates, including Human Gene 2.1 ST Array Plate and Trays (all configurations); Human

Gene 1.1 ST Array Plate and Trays (all configurations); Mouse Gene ST Array Plates, including Mouse Gene 2.1 ST Array Plate and Trays (all configurations); Mouse Gene 1.1 ST Array Plate and Trays (all configurations); CHO Gene ST Array Plates, including CHO Gene 2.1 ST Array Plate and Trays; Model and applied research organisms Gene 1.1 ST Array Plates, including Arabidopsis Gene 1.1 ST 24-Array Plate, Bovine Gene 1.1 ST 24-Array Plate, C. elegans Gene 1.1 ST Array Plate, Canine Gene 1.1 ST 24-Array Plate, Chicken Gene 1.1 ST 24-Array Plate, Cynomolgus Gene 1.1 ST 24-Array Plate, Cynomolgus + Rhesus Gene 1.1 ST 24-Array Plate, Drosophila Gene 1.1 ST Array Plate, Equine Gene 1.1 ST 24-Array Plate. Feline Gene 1.1 ST 24-Array Plate, Marmoset Gene 1.1 ST 24-Array Plate, Medicago Gene 1.1 ST 24-Array Plate, Ovine Gene 1.1 ST 24-Array Plate, Porcine Gene 1.1 ST 24-Array Plate, Rhesus Gene 1.1 ST 24-Array Plate, Rice (US) Gene 1.1 ST 24-Array Plate, Rice (Jp) Gene 1.1 ST 24-Array Plate, Rice (en) Gene 1.1 ST 24-Array Plate, Soybean Gene 1.1 ST 24-Array Plate, Zebra Finch Gene 1.1 ST 24-Array Plate, and Zebrafish Gene 1.1 ST 24-Array Plate; Affymetrix® Human Gene ST Array Strips, including Human Gene 2.1 ST Array Strip, Human Gene 1.1 ST Array Strip; Affymetrix® Mouse Gene ST Array Strips, including Affymetrix® Mouse Gene 2.1 ST Array Strip, Mouse Gene 1.1 ST Array Strip; Affymetrix® Rat Gene ST Array Strips, including Affymetrix® Rat Gene 2.1 ST Array Strip, Affymetrix® Rat Gene 1.1 ST Array Strip; Affymetrix® CHO Gene ST Array Strips, including Affymetrix® CHO Gene 2.1 ST Array Strip; Model and applied research organisms Gene 1.1 ST Array Strips, including Arabidopsis Gene 1.1 ST Array Strip, Bovine Gene 1.1 ST Array Strip, C. elegans Gene 1.1 ST Array Strip, Canine Gene 1.1 ST Array Strip, Chicken Gene 1.1 ST Array Strip, Cynomolgus Gene 1.1 ST Arrays Strip, Cynomolgus-

Rhesus Gene 1.1 ST Array Strip, Drosophila Gene 1.1 ST Array Strip, Equine Gene 1.1 ST Array Strip, Feline Gene 1.1 ST Array Strip, Marmoset Gene 1.1 ST Array Strip, Medicago Gene 1.1 ST Array Strip, Ovine Gene 1.1 ST Array Strip, Porcine Gene 1.1 ST Array Strip, Rhesus Gene 1.1 ST Array Strip, Rice (US) Gene 1.1 ST Array Strip, Rice (Jp) Gene 1.1 ST Array Strip, Rice (Cn) Gene 1.1 ST Array Strip, Soybean Gene 1.1 ST Array Strip, Tomato Gene 1.1 ST Array Strip, Zebra Finch Gene 1.1 ST Array Strip, Zebrafish Gene 1.1 ST Array Strip, Guinea Pig Gene 1.1 ST Array Strip, GeneChip® Human Transcriptome Array 2.0, Rabbit Gene 1.1 ST Array Strip, GeneChip Human MALD 3K SNP Kit, Targeted genotyping with up to 15K SNPs, Targeted genotyping with up to 205K SNPs, Targeted genotyping with up to 44K SNPs, Targeted genotyping with up to 540K SNPs, Targeted genotyping with up to 90K SNPs, and all other products involving GeneChip technology using DNA target sample (collectively, “GeneChip Labeled DNA Products”),

- b) products based upon GeneChip technology using RNA target sample, including without limitation, Gene Profiling Array cGMP U133 P2; GeneChip® Human Genome Focus Array; GeneChip® Human Genome U133 Plus 2.0 Array; GeneChip® Human Genome U133A 2.0 Array; Human Genome U133 Set; Human Genome U133A Array; Human Genome U133B Array; GeneChip HT Human Genome U133B; Human Genome U95 Set; Human Genome U95A v2 Array; Human Genome U95B Array; Human Genome U95C Array; Human Genome U95D Array; Human Genome U95E Array; GeneChip® PrimeView™ Human Gene Expression Array; Almac Xcel™ Array; Mouse Expression Set 430; Mouse Expression Array 430A; Mouse Expression Array 430B; GeneChip® Mouse Genome 430 2.0 Array; GeneChip® Mouse Genome 430A 2.0 Array; Murine

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