

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

ENZO LIFE SCIENCES, INC.,

Plaintiff,

v.

AGILENT TECHNOLOGIES, INC.,

Defendant.

Civil Action No. 12-cv-434-LPS

**PLAINTIFF'S SUPPLEMENTAL INFRINGEMENT CHARTS
FOR AGILENT TECHNOLOGIES**

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

Plaintiff contends that Agilent, 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) ChIP-on-chip Microarrays, including without limitation Human ENCODE ChIP-on-chip Microarray; Human Promoter Microarrays, including SurePrint G3 Human Promoter Microarray Kit, 1x1M, SurePrint G3 Human Promoter Microarray 1x1M, SurePrint G3 Human Promoter Microarray Kit, 2x400K, SurePrint G3 Human Promoter Microarray 2x400K, Human Promoter Microarray Kit, 2-Design Set, 1x244K, Human Promoter Microarray Set, 2-Design, 1x244; Model Organism ChIP-on-chip Microarrays, including

Arabidopsis Genome Microarray, 2-Design Set, 1x244K, C. elegans Genome Microarray Kit, 2-Design Set, 1x244K, Drosophila Genome Microarray Kit, 2-Design Set, 1x244K, S. pombe Genome Microarray 4x44K, Yeast Genome Microarray Kit 1x244K, Yeast Genome Microarray 1x244K, Yeast Genome Microarray Kit 4x44k, Yeast Genome Microarray 4x44K, Zebrafish Promoter Microarray, 2-Design Set, 1x244K; Mouse Promoter Microarrays, including SurePrint G3 Mouse Promoter Microarray Kit, 1x1M, SurePrint G3 Mouse Promoter Microarray, 1x1M, SurePrint G3 Mouse Promoter Microarray Kit, 2x400K, SurePrint G3 Mouse Promoter Microarray, 2x400K, Mouse Promoter Microarray Kit, 2-Design Set, 1x244K, Mouse Promoter Microarray Set, 2-Design, 1x244K, Oligo aCGH/ChIP-on-chip Hybridization Kit, Oligo aCGH/ChIP-on-chip Hybridization Kit Large Volumes, and all other ChIP-on-chip Microarrays (collectively, “ChIP-on-chip Products”),

- b) CGH Microarrays, including without limitation, Human Genome CGH Microarrays, including SurePrint G3 Human CGH Microarray Kit, 1x1M, SurePrint G3 Human CGH Microarray, 1x1M, SurePrint G3 Human CGH Bundle, 1x1M, SurePrint G3 Human CGH Microarray Kit, 2x400K, SurePrint G3 Human CGH Microarray, 2x400K, SurePrint G3 Human CGH Bundle, 2x400K, SurePrint G3 Human CGH Microarray Kit, 4x180K, SurePrint G3 Human CGH Microarray, 4x180K, SurePrint G3 Human CGH Bundle, 4x180K, SurePrint G3 Human CGH Microarray Kit, 8x60K, SurePrint G3 Human CGH Microarray, 8x60K, SurePrint G3 Human CGH Bundle 8x60K, Human Genome CGH Microarray Kit 244A, Human Genome CGH Microarray 244A, Human Genome CGH Microarray 244A Supplemental, Human Genome CGH Microarray Kit 105A, Human Genome CGH Microarray 105A, Human Genome CGH Microarray Kit,

4x44K, Human Genome CGH Microarray, 4x44K, SurePrint G3 Unrestricted CGH ISCA v2, 4x180K, Unrestricted HD-CGH Microarray ISCA v2, 2x105K, SurePrint G3 Unrestricted CGH ISCA v2, 8x60K, Unrestricted HD-CGH Microarray ISCA v2, 4x44k, SurePrint G3 CGH ISCA v2 Microarray Kit, 8x60K; Model Organism CGH Microarrays, including SurePrint G3 Bovine CGH Microarray, 4x180K, SurePrint G3 Canine CGH Microarray, 4x180K, Chicken Genome CGH Microarray, 1x244K, SurePrint G3 Chimpanzee CGH Microarray, 4x180K; SurePrint G3 Rice CGH Microarray, 4x180K, SurePrint G3 Rhesus Macaque Genome CGH Microarray, 4x180K; Mouse Genome CGH Microarrays, including NOSdetect Assay Kit, SurePrint G3 Mouse CGH Microarray Kit, 1x1M, SurePrint G3 Mouse CGH Microarray, 1x1M, SurePrint G3 Mouse CGH Microarray Kit, 4x180K, SurePrint G3 Mouse CGH Microarray, 4x180K, Mouse Genome CGH Microarray Kit 244A, Mouse Genome CGH Microarray 244A, Mouse Genome CGH Microarray Kit 105A, Mouse Genome CGH Microarray 105A; Rat Genome CGH Microarrays, including SurePrint G3 Rat CGH Microarray Kit, 1x1M, SurePrint G3 Rat CGH Microarray, 1x1M, SurePrint G3 Rat CGH Microarray Kit, 4x180K, SurePrint G3 Rat CGH Microarray, 4x180K, Rat Genome CGH Microarray Kit 244A, Rat Genome CGH Microarray 244A, Rat Genome CGH Microarray Kit 105A, Rat Genome CGH Microarray 105A; Custom CGH Microarrays, including Custom HD-CGH Microarray, 1x244K, Custom HD-CGH Microarray, 2x105K, Custom HD-CGH Microarray, 4x44K, Custom HD-CGH Microarray, 8x15K, SurePrint G3 Custom CGH Microarray, 1x1M, SurePrint G3 Custom CGH Microarray, 2x400K, SurePrint G3 Custom CGH Microarray, 4x180K, SurePrint G3 Custom CGH Microarray, 8x60K, Sureprint G3 Custom CGH OGT Microarray 4x180K, Sureprint G3 Custom CGH OGT

Microarray - 8x60K, SurePrint G3 CGH Postnatal Research Microarray Kit 4x180K, SurePrint G3 CGH Postnatal Research Microarray Kit, 8x60K, and all other CGH Microarrays (collectively, “CGH Products”),

- c) CGH+SNP Microarrays, including without limitation, Human Genome CGH+SNP Microarrays, including SurePrint G3 Human Genome CGH+SNP Microarray Kit, 2x400K, SurePrint G3 Human Genome CGH+SNP Bundle, 2x400K, SurePrint G3 Human Genome CGH+SNP Microarray Kit, 4x180K, SurePrint G3 Cancer CGH+SNP Bundle, 4x180K, SurePrint G3 Cancer CGH+SNP Microarray Kit, 4x180K, SurePrint G3 ISCA CGH+SNP Microarray Kit, 4x180K, SurePrint G3 ISCA CGH+SNP Bundle, 4x180K; Custom CGH+SNP Arrays, including SurePrint G3 Custom CGH+SNP 1x1M, SurePrint G3 Custom CGH+SNP 2x400K, SurePrint G3 Custom CGH+SNP 4x180K, SurePrint G3 Custom CGH+SNP 8x60K, SurePrint G3 CGH+SNP Postnatal Research Microarray Kit, and all other CGH+SNP Microarrays (collectively, “CGH+SNP Products”),
- d) CNV Microarrays, including without limitation, Human CNV Microarrays, including SurePrint G3 Human High Resolution Microarray Kit, 1x1M, SurePrint G3 Human High Resolution Microarray, 1x1M, SurePrint G3 Human CNV Microarray Kit, 2x400K, SurePrint G3 Human CNV Microarray, 2x400K, Human Genome CNV Microarray Set, Slide 1, 1x244K, Human Genome CNV Microarray Set, Slide 2, 1x244K, Human CNV Association Microarray Kit, 2x105K, SurePrint G3 Human CNV Microarray, 2x105K, and all other CNV Microarrays (collectively, “CNV Products”),
- e) DNA Methylation Microarrays, including without limitation, Human CpG Island Microarrays, including Human CpG Island Microarray Kit, 1x244K; Human DNA

Methylation Microarray, including Human DNA Methylation Microarray; Mouse CpG Island Microarrays, including Mouse CpG Island Microarray, 2x105K; Custom DNA Methylation Microarrays, including SurePrint G3 ChIP-on-chip/DNA Methylation, 1x1M, Custom SurePrint G3 ChIP-on-chip/DNA Methylation, 2x400K, Custom SurePrint G3 ChIP-on-chip/DNA Methylation, 4x180K, Custom SurePrint G3 ChIP-on-chip/DNA Methylation, 8x60K, Custom ChIP-on-chip/DNA Methylation, 1x244K, Custom ChIP-on-chip/DNA Methylation, 2x105K, Custom ChIP-on-chip/DNA Methylation, 4x44K, Custom ChIP-on-chip/DNA Methylation, 8x15K, and all other DNA Methylation Microarrays (collectively, “DNA Methylation Products”)

- f) Gene Expression Microarrays, including without limitation, Human Exon Microarrays, including SurePrint G3 Human Exon 2x400K Microarray Kit, SurePrint G3 Human Exon 2x400K Microarray, SurePrint G3 Human Exon 4x180K Microarray Kit, SurePrint G3 Human Exon 4x180K Microarray; Human Gene Expression Microarrays, including SurePrint G3 Human Gene Expression 8x60K v2 Microarray Kit, SurePrint G3 Human Gene Expression 8x60K v2 Microarray, SurePrint G3 Human GE 8x60K Microarray Kit, SurePrint G3 Human GE 8x60K Microarray, Human GE 4x44K v2 Microarray Kit, Human GE 4x44K v2 Microarray, Whole Human Genome Microarray Kit, 4x44K, Whole Human Genome Microarray Kit 4x44K; Model Organism Gene Expression Microarrays, including Arabidopsis (V4) Gene Expression Microarray 4x44K, Barley Gene Expression Microarray, 4x44K, Bovine (V2) Gene Expression Microarray, 4x44K, Brassica Gene Expression Microarray, 4x44K, C. elegans (V2) Gene Expression Microarray, 4x44K, Canine (V2) Gene Expression Microarray, 4x44K, Chicken (V2) Gene Expression Microarray, 4x44K, Cotton Gene Expression Microarray, 4x44K,

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