IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SANOFI-AVENTIS U.S. LLC, SANOFI-AVENTIS DEUTSCHLAND GMBH, and SANOFI WINTHROP INDUSTRIE, Plaintiffs, v. MYLAN GMBH, BIOCON LTD., BIOCON RESEARCH LTD., BIOCON SDN. BHD., and BIOCON S.A. Defendants.	C. A. No. 2:17-09105 (SRC-CLW)

PLAINTIFFS' PRELIMINARY CLAIM CONSTRUCTIONS AND PRELIMINARY IDENTIFICATION OF SUPPORTING INTRINSIC AND EXTRINSIC EVIDENCE

Pursuant to Local Patent Rule 4.2 and the Court's Order (D.I. 23 and D.I. 78), and as agreed by the parties[1], Plaintiffs Sanofi-Aventis U.S. LLC, Sanofi-Aventis Deutschland GMBH, and Sanofi Winthrop Industrie, (collectively, "Plaintiffs" or "Sanofi") hereby provide to Defendant Mylan GmbH ("Mylan") and Defendants Biocon Ltd., Biocon Research Ltd., Biocon Sdn. Bhd., and Biocon S.A. (collectively, "Biocon") (collectively, "Defendants") in the attached Exhibits A-C Plaintiffs' preliminary claim constructions and preliminary identification of supporting intrinsic and extrinsic evidence.

These disclosures are based upon information reasonably available to Plaintiffs at this time and are made without prejudice to Plaintiffs' right to amend and/or supplement these disclosures in the future as necessary and appropriate, including as a result of the discovery or investigation of further information, including Defendants' supplementation of its non-

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[1] September 5, 2018 e-mail from E. Steiner to R. Vlasis.

infringement contentions and/or invalidity contentions. Plaintiffs may also rely on expert testimony regarding the person of ordinary skill in the art ("POSITA") at the time of the invention to explain the ordinary meaning of any term as it would have been understood by a POSITA or to describe or elucidate any of these terms, including by presenting a technical tutorial to the Court. Finally, Plaintiffs reserve the right to offer further intrinsic evidence and expert testimony and other extrinsic evidence to rebut Defendants' proposed constructions, intrinsic evidence, expert testimony, or other extrinsic evidence, if any, offered by Defendants in support it their claim constructions.

Dated: September 5, 2018

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2018, I caused a copy of PLAINTIFFS' PRELIMINARY CLAIM CONSTRUCTIONS AND PRELIMINARY IDENTIFICATION OF SUPPORTING INTRINSIC AND EXTRINSIC EVIDENCE to be served via email on counsel for Defendant.

Dated: September 5, 2018

By: _s/Anna E. Dwyer_
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Plaintiffs' Proposed Preliminary Claim Construction s and Supporting Evidence – U.S. Patent N

TERM	CLAIM(S)	CONSTRUCTION	INTRINSIC EVIDENCE
"at least one chemical entity chosen from"	'652 patent, claim 1, 7, 24	Plain and ordinary meaning, which a POSITA would understand to be "at least one chemical compound chosen from." No construction necessary.	'652 Patent: Abstract, 1:11-15, 2:23-27; 2:38-41; 3:41-45; 3:50-56; 4:7-27, claims 1, 2, 7, 8, 17-19, 23, 24. U.S. App. No. 11/089,777 File History: March 25, 2005 Transmittal of New Application claims and specification at 1, 3, 5-7; March 21, 2007 claims and Remarks at 6-10; April 25, 2007 Final Office Action at 2-3; July 25, 2007 claims and Remarks at 7-8; August 8, 2007 Non-Final Office Action at 2-3; November 8, 2007 Remarks at 2-7; March 19, 2008 claims and Remarks

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