IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

THE TRUSTEES OF COLUMBIA)
UNIVERSITY IN THE CITY OF)
NEW YORK and QIAGEN)
SCIENCES, LLC,)
) Civil Action No. 19-1681-CFC
Plaintiffs,)
)
v.)
)
ILLUMINA, INC.,)
)
Defendant.)
)
IDDODOSEDI CI AIM	CONCEDUCATION OPPED
<u> [KKUPUSE</u> D] CLAIM	CONSTRUCTION ORDER

On Plaintiffs' and Defendant's Motions for Claim Construction (D.I. 37 and D.I. 38, respectively), having reviewed the parties' Joint Claim Construction Brief (D.I. 54) and held a *Markman* hearing on September 2, 2020, the Court adopts the following constructions for the disputed terms of U.S. Patent Nos. 10,407,458 (the "'458 Patent"), 10,407,459 (the "'459 Patent"), 10,435,742 (the "'742 Patent"), 10,457,984 (the "'984 Patent"), and 10,428,380 (the "'380 Patent"):

Illumina Ex. 1156 Illumina v. Columbia IPR2020-01177



Disputed Term	Adopted Construction
" Y - "	A single linker that directly connects the base to the label ¹
('458 Patent, '459 Patent, '742 Patent, and '984 Patent (Claims 1 and 2), and '380 Patent (Claims 1 and 3))	
"small"	A chemical group that is less than 3.7Å in diameter and that fits into the active site of the polymerase shown in Figure
('458 Patent, '459 Patent, '742 Patent,	1 of the patent when three-
and '984 Patent (Claims 1 and 2), and '380 Patent (Claims 1 and 3))	dimensionally modeled on chemical software
"R is stable during a DNA polymerase reaction"	Plain and ordinary meaning
('458 Patent, '459 Patent, '742 Patent, and '984 Patent (Claims 1 and 2), and '380 Patent (Claims 1 and 3))	
"A method for sequencing a nucleic acid"	Plain and ordinary meaning; preamble is limiting
('380 Patent (Claims 1 and 3))	

SO ORDERED this /b/h day of September 2020:

The Honorable Colm F. Connolly United States District Court Judge

¹ Plaintiffs intend to move for reargument of this construction.

