UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK and QIAGEN SCIENCES, LLC, Plaintiffs, v. ILLUMINA, INC., Defendant.	)	Civil Action No. 19-1681-CFC

DEFENDANT ILLUMINA, INC.'S RESPONSE TO PLAINTIFFS' OPENING CLAIM CONSTRUCTION BRIEF

Columbia Ex. 2001
Illumina, Inc. v. The Trustees of Columbia University in the City of New York
IPR2020-01177

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Pursuant to Paragraph 16 of the Court's Scheduling Order (D.I. 17) and the Stipulation and Order Extending Claim Construction Deadlines (D.I. 45, as ordered June 26, 2020), defendant Illumina, Inc. ("Illumina") submit this answering brief to plaintiffs The Trustees of Columbia University in the City of New York ("Columbia") and Qiagen Sciences, LLC's (collectively, "Plaintiffs") opening brief regarding the construction of disputed claim terms of U.S. Patent Nos. 10,407,458 (the "'458 Patent"); 10,407,459 (the "'459 Patent"); 10,428,380 (the "'380 Patent"); 10,435,742 (the "'742 Patent"); and 10,457,984 (the "'984 Patent") (collectively, the "Patents-in-Suit").

I. INTRODUCTION

The instant suit is the latest of three that Plaintiffs have filed against Illumina in this district since 2012. All three of Plaintiffs' lawsuits have involved the same family of Columbia patents, and the prior two lawsuits have followed an identical pattern. Specifically, after Plaintiffs accused Illumina of infringing, Illumina successfully invalidated Plaintiffs' patents in *inter partes* review ("IPR"). Across the first two lawsuits, Illumina has invalidated the asserted claims in eight of Plaintiffs' patents.[1]

[1] The Federal Circuit affirmed the PTAB's decision on appeal for the patents asserted in the first suit; the Federal Circuit appeal of the second suit is pending.

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