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,	)	
Plaintiffs,	)	Civil Action No. 19-1681-CFC
v.	)	
ILLUMINA, INC.,	)	
Defendant.	)	

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

SO ORDERED this 10th day of September 2020:

The Honorable Colm F. Connolly
United States District Court Judge

[1] Plaintiffs intend to move for reargument of this construction.