

I. DISPUTED CONSTRUCTIONS:

Term No.	Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Final Construction
1	<p>“enzyme with imine reductase activity to form (S)-nornicotine”</p> <p>U.S. Patent No. 10,913,962, Cl. 1</p>	<p>Plain and ordinary meaning.</p> <p>Alternative: “enzyme capable of stereoselectively reducing an imine group to form more (S)-nornicotine than (R)-nornicotine”</p>	<p>“enzyme capable of reducing an imine group to form more (S)-nornicotine than (R)-nornicotine”</p>	<p>“enzyme capable of stereoselectively reducing an imine group to form more (S)-nornicotine than (R)-nornicotine”</p>
2	<p>“wherein the (S)-nicotine is obtained with an enantiomeric excess of at least 90%, preferably at least 95%, more preferably at least 98%, most preferably at least 99%”</p> <p>U.S. Patent No. 10,913,962, Cl. 9</p>	<p>Plain and ordinary meaning.</p> <p>Alternative: “wherein the (S)-nicotine is obtained with an enantiomeric excess of at least 90%”</p>	<p>Indefinite.</p> <p>Alternative: “wherein the (S)-nicotine is obtained with an enantiomeric excess of at least 90%, either with or without a step of separating (S)-nicotine from (R)-nicotine”</p>	<p>Plain and ordinary meaning.</p>