

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BECKMAN COULTER, INC.,)
)
Plaintiff,)
) C.A. No. 24-945-CFC
v.)
)
CYTEK BIOSCIENCES, INC.,)
)
Defendant.)
)

Wednesday, November 6, 2024
12:59 p.m.
Teleconference

844 King Street
Wilmington, Delaware

BEFORE: THE HONORABLE COLM F. CONNOLLY
United States District Court Judge

APPEARANCES:

RICHARDS, LAYTON & FINGER
BY: KELLY E. FARNAN, ESQ.

-and-

WILMER CUTLER PICKERING HALE AND DOOR
BY: OMAR A. KHAN, ESQ.
BY: ASHER S. MCGUFFIN, ESQ.

Counsel for the Plaintiff

CYTEK V. BECKMAN
IPR2025-01319
BECKMAN 2008

1 APPEARANCES CONTINUED:

2
3 MORRIS NICHOLS ARSHT & TUNNELL
4 BY: KAREN JACOBS, ESQ.
5 BY: JEREMY A. TIGAN, ESQ.

6 -and-

7 COOLEY LLP
8 BY: ADAM PIVOVAR, ESQ.

9 Counsel for the Defendant

10
11
12 - - - - -
13
14 P R O C E E D I N G S

15
16 (Proceedings commenced via teleconference beginning
17 at 12:59 p.m.)

18 **THE COURT:** Good afternoon, Counsel.

19 Let's have a roll call. Let's start with
20 Beckman.

21 **MS. FARNAN:** Good afternoon, Your Honor. Kelly
22 Farnan from Richards, Layton & Finger for Beckman Coulter.

23 I'm joined with my cocounsel from WilmerHale,
24 Omar Khan and Asher McGuffin. And Mr. Khan will address
25 the issues today.

1 **THE COURT:** Great. Thank you.

2 How about for Cytek Biosciences?

3 **MS. JACOBS:** Good afternoon, Your Honor. It's
4 Karen Jacobs and Jeremy Tigan from Morris Nichols.

5 We are joined by Adam Pivovar, and I will
6 address the issues today, unless I need help from
7 Mr. Pivovar.

8 **THE COURT:** Let's run through the disputes. So
9 the first dispute, Paragraph 2.

10 All right. Defendant, you want to add a
11 paragraph, right?

12 **MS. JACOBS:** Yes, Your Honor. So to explain
13 what this dispute is, we are asking to deviate from the
14 Court's form in one respect only, which is we found the
15 infringement charts that were attached to the complaint to
16 be very vague and not really put what aspects of the
17 accused products allegedly satisfied the claim elements.

18 So what we're asking here is we would like to
19 provide the core technical documents first in the hopes of
20 getting some more meaningful infringement contentions;
21 rather than, essentially, getting the same charts, in what
22 plaintiff proposes to be, a month from now and then having
23 a dispute after we produce core technical documents.

24 We're trying to cut that off at the pass by
25 giving core technical documents first, so that they can

1 take those into account in its infringement contentions
2 and, hopefully, avoid a dispute down the line.

3 It's a little bit of an unusual situation in
4 that, here, we are trying to provide core technical
5 documents, so that the plaintiff can take it into account,
6 and the plaintiff doesn't want that. It wants to go
7 forward with its infringement contentions without charts.

8 That sort of bleeds into some of the scheduling
9 issues that I think the parties can work out once we
10 settle down what the trial date should be.

11 Because the plaintiff is suggesting
12 infringement contentions on December 6 and invalidity
13 contentions, again, where there wouldn't be time there for
14 the plaintiff to give us a chance to produce the core
15 technical documents for them to review them and
16 incorporate them into the infringement contentions.
17 That's the nature of the dispute there.

18 **THE COURT:** All right. Let's hear from the
19 plaintiff.

20 **MR. KHAN:** Good afternoon, Your Honor. This is
21 Omar Khan from WilmerHale for the plaintiff.

22 We think under the circumstances, Your Honor,
23 that the Court's proposed form order is the right approach
24 here.

25 During the meet and confer process, we didn't

1 hear from Cytek about the alleged deficiencies in the
2 charts that we are hearing about right now. Of course,
3 those kind of disputes, Your Honor, are quite typical, and
4 we would be happy to take that offline and work with the
5 defendant to provide them the additional whatever it is
6 they need, annotations or additional detail.

7 We do think that the additional steps in the
8 Paragraph 4, Delaware Default Discovery Order, are not
9 needed in this case.

10 We feel like we can provide fairly fulsome
11 contentions in the first instance, avoid the additional
12 steps and the delay associated with that.

13 To the extent that there are some adjustments
14 that we need to make in light of the later document
15 productions, as the Court's form order contemplates, we
16 can usually work with the other side to provide those
17 supplements in a timely way that doesn't disturb the
18 overall schedule.

19 To the extent the Court is inclined to go with
20 the defendant's proposal on this, Your Honor, what we
21 would say is we're prepared to provide sort of the
22 Paragraph 4(a) disclosures today. So we can go ahead and
23 get those served today. We don't need to wait 30 days for
24 that. To the extent the Court is inclined to go with the
25 defendant's proposal, we would ask for the document

1 production to be provided within a month.

2 **THE COURT:** Okay. By the "4(a) disclosures"
3 you mean what?

4 **MR. KHAN:** Under the Default Discovery Order,
5 Paragraph 4(a) requires the plaintiff to identify the
6 asserted claims and the accused products, but not provide
7 a claim-by-claim mapping of the claims to the accused
8 features.

9 And so the first step under the rule for
10 default disclosures would be for the plaintiff to provide
11 that list of asserted claims and list of accused products.

12 To the extent, you know, we don't think that's
13 necessary. We think we should proceed straight with the
14 Court's form order, which has plaintiff providing complete
15 infringement contentions, including the charts in 30 days.
16 We think that's the right approach.

17 To the extent the Court is inclined to go with
18 the defendant on this, we are prepared to do that first
19 step today.

20 **THE COURT:** Let me ask you this. I've got a
21 good cause standard, right, for you to amend your
22 infringement contentions.

23 So are you prepared to sit on your infringement
24 contentions without getting to see their materials?
25 Because if they've offered it and you don't want to get it

1 before you give me their infringement contentions, seems
2 to me you're going to have a hard time arguing that good
3 cause exists for you to amend the infringement contentions
4 based on what they give you.

5 **MR. KHAN:** And I think we -- Your Honor, thanks
6 for that clarification.

7 We think the good cause standard would be
8 satisfied if we were looking to make adjustments based on
9 the document production.

10 **THE COURT:** Then why don't you just agree to
11 their proposal upfront then?

12 **MR. KHAN:** Because we think, Your Honor, we can
13 provide very fulsome infringement contentions and put them
14 on notice of the theories earlier in the case without
15 avoiding -- and thereby avoiding sort of the four-step
16 multi --

17 **THE COURT:** I'm just trying to figure out how
18 you are hurt by their proposal. I'm having a hard time
19 understanding it.

20 I will tell you what, let's do this. Show me.
21 I've got the docket open. Show me where you lay out your
22 theory of infringement to date.

23 **MR. KHAN:** So that would be, Your Honor, in the
24 infringement charts that are in the complaint.

25 **THE COURT:** What exhibit? Just point me to the

1 right exhibit.

2 **MR. KHAN:** So that would be Exhibits 3 and 4.

3 Where we cite --

4 **THE COURT:** Hold on a second. Let me pull it
5 up, so I can be on the same page.

6 **MR. KHAN:** Yes.

7 **THE COURT:** Do you have a page number that
8 would help me?

9 **MR. KHAN:** It would be Page 16 of the
10 electronic version, Your Honor.

11 **THE COURT:** Page 16?

12 **MR. KHAN:** One, six.

13 **THE COURT:** Oh great. Let me just take a look
14 at this, so I can get a better idea. Give me a good page.
15 167, okay, page 159, 160, exemplary evidence.

16 **MR. KHAN:** Apologize, Your Honor. I was saying
17 16.

18 **THE COURT:** Page 16, isn't that a patent?

19 **MR. KHAN:** Sorry. I'm looking at Exhibit 3,
20 which is --

21 **THE COURT:** You are doing hard copy. I'm doing
22 electronic copy. Let me get to Exhibit 3, which I think
23 is like 160 or something close to that. Exhibit 3, 141.

24 **MR. KHAN:** Yes.

25 **THE COURT:** And then you want me to go to

Page 16?

MR. KHAN: Exhibit 3, Page 1, Your Honor, the first page of Exhibit 3.

THE COURT: All right. An optical subsystem for a flow cytometer, optical system comprising.

MR. KHAN: Correct.

And I think what Ms. Jacobs is saying they want to see more annotations than arrows in the evidence in the column on the right. If that's what we're talking about, we're happy to provide that in the kind of ordinary course additional, you know, detail that the parties provide, you know, plaintiff provides to the defendant all the time.

Maybe, Your Honor I can cut to the chase on this. The prejudice about this is really the additional time, you know, from the delay occasioned by the multi-step process of, you know, doing the Rule 4(a), 4(b), 4(c), 4(d) steps.

THE COURT: Right. But see, I can address that. I can just tell you we'll have trial in May of 2026. And then you've got to work through it.

Does that take care of it?

MR. KHAN: That would take care of it, Your Honor.

THE COURT: Okay. Well, I like taking care of things.

1 Ms. Jacobs, you don't object to that, do you?

2 **MS. JACOBS:** I don't object to the idea of
3 working. I would like an opportunity to address the
4 timing overall.

5 **THE COURT:** Okay. Well, go ahead and address
6 it because May 2026 is -- when was this case filed?

7 **MS. JACOBS:** It was filed in August of 2024,
8 August 14th.

9 **THE COURT:** Okay.

10 Go ahead.

11 **MS. JACOBS:** So, Your Honor, this is a case
12 involving two operating companies that Beckman Coulter
13 alleges directly compete with each other, complex
14 technology. The discovery issues in this case are going
15 to be more involved than many cases.

16 I pointed out the compression on the front end
17 was having, basically, you know, the infringement
18 contentions and invalidity contentions on top of each
19 other without having document production. We can work
20 that in.

21 But I also want to point out on the back end of
22 the schedule. There is a lot of compression there in
23 terms of, for example, having a claim construction hearing
24 in mid June and then close of fact discovery only nine
25 months from now, reports only two weeks after that, expert

1 discovery and case dispositive motion schedule. That
2 really doesn't leave any room for slippage and results in
3 a compression that not only would make it difficult for
4 the parties, but potentially can impact the court
5 deadlines.

6 And I would like to point out that, although
7 plaintiffs undoubtedly would like to go to trial quickly,
8 really hasn't explained to us why this kind of schedule is
9 needed.

10 The products that are at issue here have been
11 on the market since 2017 and 2018, and one of the patents
12 in this case has been around since June of 2019. The
13 second one for about a year.

14 So really, you know, not an urgency to have
15 this case on a compressed deadline when, you know, the
16 issues have been out there for some time.

17 **THE COURT:** All right. Let me hear from the
18 plaintiff on that.

19 **MR. KHAN:** Your Honor, it's not really that
20 much of a compressed schedule, not moving all that fast.

21 Plaintiff's proposed schedule is 22, 23 months
22 from when the dispute was ripe. I will talk about that in
23 a second. It was 20, 21 months from the when the
24 complaint was filed.

25 The dispute between the parties, Your Honor,

1 was ripe. This is a competitor case, just as a reminder.
2 I think Ms. Jacobs referred to it as operating companies.
3 These are direct competitors in the marketplace for flow
4 cytometers.

5 The dispute was ripe in June. We sent them a
6 letter attaching the claim charts, you know, very, very
7 similar claim charts to the ones in the complaint, in June
8 of this year. And so the parties had some discussions in
9 July, and the complaint was filed in August.

10 Really, you know, the parties had a couple of
11 additional months to think through their contentions and
12 theories and how they might respond and their defenses in
13 the case.

14 The case appears to be, Your Honor, somewhat
15 focused. The patents relate to a discrete technology.
16 The accused products all fall within the same category or
17 family of products. The relevant accused component
18 appears to be the same in every accused product. Both
19 sides are fairly sophisticated competitors, sophisticated
20 counsel on both sides.

21 For the plaintiff, Your Honor, for the case to
22 move forward, the pleadings are closed. We've served some
23 initial discovery, sent over a draft protective order,
24 gathering materials for the initial disclosure of document
25 production.

1 So under the circumstances, we feel, like I
2 said, 20 to 23 months from the, you know, from the
3 ripeness of the dispute in June and then 20 to 21 months
4 from the complaint being filed is quite reasonable under
5 the circumstances.

6 If there are certain areas where Ms. Jacobs
7 feels we need a little bit more breathing room, we are
8 happy to work with her on that. We don't think that's a
9 particularly significant obstacle.

10 In terms of the timing of the suit, Your Honor,
11 as the Court knows, the timing of the suit is not a
12 relevant issue in the case, not relevant to infringement,
13 not relevant to whether the patents are invalid. We
14 disagree that --

15 **THE COURT:** Wait a second. I mean, look, it's
16 relevant to if you're pressing for less than two years,
17 it's relevant to get to trial.

18 Like if somebody has been sitting around for
19 ten years, and not bringing a patent suit, it's relevant
20 to whether they should get a trial in a month or two
21 months or two years or three.

22 **MR. KHAN:** Yes, Your Honor. We agree with
23 that, but I think we're saying, you know, trial in 20 to
24 21 months from the complaint and 20 to 23 months from the
25 first time they got the claim chart, we think that's more

1 than enough time to litigate what we think is one family
2 of accused products in a set of patents that are related
3 to, essentially, very similar technology in the same area.

4 **THE COURT:** Yeah.

5 Tell me about your client, Beckman Coulter.
6 Where is it located?

7 **MR. KHAN:** Beckman Coulter, I would say, it's
8 in New Jersey and in California. The primary sites are in
9 those two states, and we also have sites in Florida as
10 well.

11 **THE COURT:** Is it a public company?

12 **MR. KHAN:** It is a subsidiary, Your Honor, of
13 Danaher Corporation, which is a publicly traded company.

14 **THE COURT:** Sorry. Who is the owner?

15 **MR. KHAN:** Danaher Corporation.

16 **THE COURT:** How do you spell that?

17 **MR. KHAN:** D-A-N-A-H-E-R.

18 **THE COURT:** Does Danaher wholly own this
19 entity?

20 **MR. KHAN:** It does, Your Honor.

21 **THE COURT:** I see on the Internet -- I don't
22 know if it's right, but you can tell me -- the revenue for
23 2023 was \$24 billion.

24 So Beckman Coulter has a lot of assets and
25 resources behind it; is that right?

1 **MR. KHAN:** Correct, Your Honor.

2 **THE COURT:** Tell me about Cytek Biosciences.
3 What kind of company is it?

4 **MR. KHAN:** So Cytek is a competitor to Beckman
5 Coulter, and, you know, it's been in the marketplace, as
6 Ms. Jacobs said, for quite some time, well resourced. It
7 is not as large as Beckman Coulter is.

8 **THE COURT:** Is it a public company?

9 **MR. KHAN:** Ms. Jacobs would know for sure. I
10 think it is a public company.

11 **THE COURT:** Ms. Jacobs, tell me about it.

12 **MS. JACOBS:** For that, Your Honor, I'm going to
13 defer to Mr. Pivovar.

14 **THE COURT:** Okay.

15 (Pause.)

16 Hello?

17 **MS. JACOBS:** I guess I will not.

18 **MR. KHAN:** I believe, Your Honor --

19 **MR. PIVOVAR:** I apologize. I was on mute, Your
20 Honor.

21 Yes, it is a publicly traded.

22 **THE COURT:** Cytek is?

23 **MR. PIVOVAR:** Cytek is, yes, but it is
24 substantially smaller than Danaher and Beckman Coulter.

25 **THE COURT:** All right. But it's almost a

1 billion dollar company, right?

2 All right. Look, here's what I think. I like
3 the idea that when cases are filed here, they are tried
4 within two years. That's kind of optimal.

5 This case was filed in August of 2026. So I'm
6 going to give you a trial date of August 17th.

7 It is a jury trial, right?

8 **MR. KHAN:** Correct, Your Honor.

9 **THE COURT:** Do you dispute how long? We mostly
10 try cases in five days. We'll aim for five days. If
11 there's good cause to go beyond that, we can do that.
12 Let's start with that.

13 If I give you that trial date of
14 August 17th, do I need to resolve any other disputes or at
15 that point, can you work it out?

16 **MR. KHAN:** From the plaintiff's perspective,
17 Your Honor, we think we can work it out.

18 **MS. JACOBS:** I agree, Your Honor.

19 **THE COURT:** All right. Then why don't we do
20 that. So that's going to be the trial date. All right.
21 And I do think you can work it out. I think it's more
22 efficient than me going through the rest of the disputes
23 individually.

24 So can you work it out in a week and get us a
25 readvised proposed schedule?

1 **MR. KHAN:** This is Omar Khan.

2 Yes, Your Honor, for the plaintiff.

3 **MS. JACOBS:** Yes, Your Honor.

4 **THE COURT:** Ms. Farnan and Ms. Jacobs have
5 appeared before me many times. They know that if you
6 can't work it out and there's still stuff, just keep in
7 mind like if I get the sense that one party is not being
8 cooperative, what I typically do is I rule against that
9 party for all the disputes.

10 So please, and I suspect, especially with
11 Ms. Farnan and Ms. Jacobs on the line, I've got reasonable
12 counsel here.

13 All right. So we'll issue an oral order just
14 setting the trial date for August 17, 2026, and that the
15 parties are going to submit, no later than next Wednesday,
16 a readvised proposed scheduling order. All right.

17 **MR. KHAN:** For the plaintiff, thank you, Your
18 Honor. Really appreciate your time today.

19 **THE COURT:** Anything from the defendant?

20 **MS. JACOBS:** No, Your Honor. Thank you.

21 **THE COURT:** All right. Thanks everybody. Have
22 a good day.

23 (The proceedings concluded at 1:19 p.m.)
24
25

CERTIFICATE OF COURT REPORTER

I hereby certify that the foregoing is a true and accurate transcript from my stenographic notes in the proceeding.

/s/ Bonnie R. Archer
Bonnie R. Archer, RPR, FCRR
Official Court Reporter
U.S. District Court

Case 1:24-cv-00945-CFC EGT Document 23 Filed 11/12/25 Page 19 of 22 PageID #: 15/22

MR. KHAN: [30]	5/13 7/8	7/15	13/25	5/1 15/2 15/4 15/22
MR. PIVOVAR: [2]	after [2] 3/23	B 1118	claims [3] 6/6 6/7	cytometer [1] 9/5
15/19 15/23	10/25		6/11	cytometers [1] 12/4
MS. FARNAN: [1]	afternoon [4] 2/18	back [1] 10/21	clarification [1]	D
2/21	2/21 3/3 4/20	based [2] 7/4 7/8	7/6	D-A-N-A-H-E-R [1]
MS. JACOBS: [10]	again [1] 4/13	basically [1] 10/17	client [1] 14/5	14/17
3/3 3/12 10/2 10/7	against [1] 17/8	be [16] 3/16 3/22	close [2] 8/23	Danaher [4] 14/13
10/11 15/12 15/17	agree [3] 7/10	4/10 4/13 5/4 6/1	10/24	14/15 14/18 15/24
16/18 17/3 17/20	13/22 16/18	6/10 7/7 7/23 8/2	closed [1] 12/22	date [6] 4/10 7/22
THE COURT: [40]	ahead [3] 5/22 10/5	8/5 8/9 10/15 12/14	cocounsel [1] 2/23	16/6 16/13 16/20
	10/10	12/18 16/20	COLM [1] 1/15	17/14
\$	aim [1] 16/10	because [4] 4/11	column [1] 9/9	day [1] 17/22
\$24 [1] 14/23	all [15] 3/10 4/18	6/25 7/12 10/6	commenced [1] 2/16	days [4] 5/23 6/15
-	9/4 9/12 11/17	BECKMAN [10] 1/3	companies [2] 10/12	16/10 16/10
-and [2] 1/21 2/6	11/20 12/16 15/25	2/20 2/22 10/12	12/2	deadline [1] 11/15
/	16/2 16/19 16/20	14/5 14/7 14/24	company [6] 14/11	deadlines [1] 11/5
/s [1] 18/6	17/9 17/13 17/16	15/4 15/7 15/24	14/13 15/3 15/8	December [1] 4/12
1	17/21	been [5] 11/10	15/10 16/1	December 6 [1] 4/12
12:59 [2] 1/10 2/17	alleged [1] 5/1	11/12 11/16 13/18	compete [1] 10/13	default [3] 5/8 6/4
141 [1] 8/23	allegedly [1] 3/17	15/5	competitor [2] 12/1	6/10
14th [1] 10/8	alleges [1] 10/13	before [3] 1/15 7/1	15/4	defendant [7] 1/7
159 [1] 8/15	almost [1] 15/25	17/5	competitors [2]	2/9 3/10 5/5 6/18
16 [5] 8/9 8/11	also [2] 10/21 14/9	beginning [1] 2/16	12/3 12/19	9/12 17/19
8/17 8/18 9/1	although [1] 11/6	behind [1] 14/25	complaint [7] 3/15	defendant's [2]
160 [2] 8/15 8/23	amend [2] 6/21 7/3	being [2] 13/4 17/7	7/24 11/24 12/7	5/20 5/25
167 [1] 8/15	annotations [2] 5/6	believe [1] 15/18	12/9 13/4 13/24	defenses [1] 12/12
17 [1] 17/14	9/8	better [1] 8/14	complete [1] 6/14	defer [1] 15/13
17th [1] 16/6	any [2] 11/2 16/14	between [1] 11/25	complex [1] 10/13	deficiencies [1]
1:19 [1] 17/23	Anything [1] 17/19	beyond [1] 16/11	component [1] 12/17	5/1
2	apologize [2] 8/16	billion [2] 14/23	compressed [2]	DELAWARE [3] 1/2
20 [5] 11/23 13/2	15/19	16/1	11/15 11/20	1/13 5/8
13/3 13/23 13/24	APPEARANCES [2]	BIOSCIENCES [3] 1/6	compression [3]	delay [2] 5/12 9/15
2017 [1] 11/11	1/18 2/1	3/2 15/2	10/16 10/22 11/3	detail [2] 5/6 9/11
2018 [1] 11/11	appeared [1] 17/5	bit [2] 4/3 13/7	comprising [1] 9/5	deviate [1] 3/13
2019 [1] 11/12	appears [2] 12/14	bleeds [1] 4/8	concluded [1] 17/23	didn't [1] 4/25
2023 [1] 14/23	12/18	Bonnie [2] 18/6	confer [1] 4/25	difficult [1] 11/3
2024 [2] 1/10 10/7	appreciate [1]	18/7	CONNOLLY [1] 1/15	direct [1] 12/3
2026 [4] 9/20 10/6	17/18	both [2] 12/18	construction [1]	directly [1] 10/13
16/5 17/14	approach [2] 4/23	12/20	10/23	disagree [1] 13/14
21 [3] 11/23 13/3	6/16	breathing [1] 13/7	contemplates [1]	disclosure [1]
13/24	Archer [2] 18/6	bringing [1] 13/19	5/15	12/24
22 [1] 11/21	18/7	C	contentions [16]	disclosures [3]
23 [3] 11/21 13/2	are [25]	C.A [1] 1/4	3/20 4/1 4/7 4/12	5/22 6/2 6/10
13/24	area [1] 14/3	California [1] 14/8	4/13 4/16 5/11 6/15	discovery [6] 5/8
24-945-CFC [1] 1/4	areas [1] 13/6	call [1] 2/19	6/22 6/24 7/1 7/3	6/4 10/14 10/24
3	arguing [1] 7/2	can [20]	7/13 10/18 10/18	11/1 12/23
30 [2] 5/23 6/15	around [2] 11/12	can't [1] 17/6	12/11	discrete [1] 12/15
8	13/18	care [3] 9/21 9/22	CONTINUED [1] 2/1	discussions [1]
844 [1] 1/13	arrows [1] 9/8	9/24	COOLEY [1] 2/7	12/8
A	ARSHT [1] 2/3	case [14] 5/9 7/14	cooperative [1]	dispositive [1]
about [10] 3/2 5/1	as [8] 5/15 12/1	10/6 10/11 10/14	17/8	11/1
5/2 9/9 9/14 11/13	12/2 13/11 14/9	11/1 11/12 11/15	copy [2] 8/21 8/22	dispute [10] 3/9
11/22 14/5 15/2	15/5 15/7 15/7	12/1 12/13 12/14	core [5] 3/19 3/23	3/13 3/23 4/2 4/17
15/11	ASHER [2] 1/23 2/24	12/21 13/12 16/5	3/25 4/4 4/14	11/22 11/25 12/5
account [2] 4/1 4/5	ask [2] 5/25 6/20	cases [3] 10/15	Corporation [2]	13/3 16/9
accurate [1] 18/4	asking [2] 3/13	16/3 16/10	14/13 14/15	disputes [5] 3/8
accused [8] 3/17	3/18	category [1] 12/16	Correct [3] 9/6	5/3 16/14 16/22
6/6 6/7 6/11 12/16	aspects [1] 3/16	cause [4] 6/21 7/3	15/1 16/8	17/9
12/17 12/18 14/2	asserted [2] 6/6	7/7 16/11	COULTER [9] 1/3	DISTRICT [4] 1/1
ADAM [2] 2/7 3/5	6/11	certain [1] 13/6	2/22 10/12 14/5	1/2 1/15 18/8
add [1] 3/10	assets [1] 14/24	CERTIFICATE [1]	14/7 14/24 15/5	disturb [1] 5/17
additional [7] 5/5	associated [1] 5/12	18/1	15/7 15/24	do [12] 5/7 6/18
5/6 5/7 5/11 9/11	attached [1] 3/15	certify [1] 18/3	counsel [5] 1/25	7/20 8/7 10/1 14/16
9/14 12/11	attaching [1] 12/6	CFC [1] 1/4	2/9 2/18 12/20	16/9 16/11 16/14
address [5] 2/24	August [7] 10/7	chance [1] 4/14	17/12	16/19 16/21 17/8
3/6 9/18 10/3 10/5	10/8 12/9 16/5 16/6	chart [1] 13/25	couple [1] 12/10	docket [1] 7/21
adjustments [2]	16/14 17/14	charts [8] 3/15	course [2] 5/2 9/10	document [5] 5/14
	August 14th [1]	3/21 4/7 5/2 6/15	court [10] 1/1 1/15	5/25 7/9 10/19
	10/8	7/24 12/6 12/7	5/19 5/24 6/17 11/4	12/24
	August 17 [1] 17/14	chase [1] 9/13	13/11 18/1 18/7	documents [5] 3/19
	16/6	circumstances [3]	18/8	3/23 3/25 4/5 4/15
	August 17th, do [1]	4/22 13/1 13/5	Court's [4] 3/14	does [3] 9/21 14/18
	16/14	cite [1] 8/3	4/23 5/15 6/14	14/20
	avoid [2] 4/2 5/11	claim [7] 3/17 6/7	cut [2] 3/24 9/13	doesn't [3] 4/6
	avoiding [2] 7/15	6/7 10/23 12/6 12/7	CUTLER [1] 1/22	
			CYTEK [7] 1/6 3/2	

D doesn't... [2] 5/17 11/2 doing [3] 8/21 8/21 9/16 dollar [1] 16/1 don't [9] 5/23 6/12 6/25 7/10 10/1 10/2 13/8 14/21 16/19 DOOR [1] 1/22 down [2] 4/2 4/10 draft [1] 12/23 During [1] 4/25	16/10 Florida [1] 14/9 flow [2] 9/5 12/3 focused [1] 12/15 foregoing [1] 18/3 form [4] 3/14 4/23 5/15 6/14 forward [2] 4/7 12/22 found [1] 3/14 four [1] 7/15 four-step [1] 7/15 front [1] 10/16 fulsome [2] 5/10 7/13	how [5] 3/2 7/17 11/19 7/18 I I'm [7] 2/23 7/17 7/18 8/19 8/21 15/12 16/5 I've [3] 6/20 7/21 17/11 idea [3] 8/14 10/2 16/3 identify [1] 6/5 impact [1] 11/4 INC [2] 1/3 1/6 inclined [3] 5/19 5/24 6/17 including [1] 6/15 incorporate [1] 4/16 individually [1] 16/23 infringement [16] 3/15 3/20 4/1 4/7 4/12 4/16 6/15 6/22 6/23 7/1 7/3 7/13 7/22 7/24 10/17 13/12 initial [2] 12/23 12/24 instance [1] 5/11 Internet [1] 14/21 invalid [1] 13/13 invalidity [2] 4/12 10/18 involved [1] 10/15 involving [1] 10/12 is [45] isn't [1] 8/18 issue [3] 11/10 13/12 17/13 issues [5] 2/25 3/6 4/9 10/14 11/16 it [34] it's [11] 3/3 4/3 11/19 13/15 13/17 13/19 14/7 14/22 15/5 15/25 16/21 its [2] 4/1 4/7	King [1] 1/13 know [16] 3/12 9/11 9/12 9/15 9/16 10/17 11/14 11/15 12/6 12/10 13/2 13/23 14/22 15/5 15/9 17/5 knows [1] 13/11 L large [1] 15/7 later [2] 5/14 17/15 lay [1] 7/21 LAYTON [2] 1/19 2/22 leave [1] 11/2 less [1] 13/16 Let [5] 6/20 8/4 8/13 8/22 11/17 let's [6] 2/19 2/19 3/8 4/18 7/20 16/12 letter [1] 12/6 light [1] 5/14 like [11] 3/18 5/10 8/23 9/24 10/3 11/6 11/7 13/1 13/18 16/2 17/7 line [2] 4/2 17/11 list [2] 6/11 6/11 litigate [1] 14/1 little [2] 4/3 13/7 LLP [1] 2/7 located [1] 14/6 long [1] 16/9 look [3] 8/13 13/15 16/2 looking [2] 7/8 8/19 lot [2] 10/22 14/24 M make [3] 5/14 7/8 11/3 many [2] 10/15 17/5 mapping [1] 6/7 market [1] 11/11 marketplace [2] 12/3 15/5 materials [2] 6/24 12/24 May [2] 9/19 10/6 May 2026 [1] 10/6 Maybe [1] 9/13 MCGUFFIN [2] 1/23 2/24 me [19] mean [2] 6/3 13/15 meaningful [1] 3/20 meet [1] 4/25 mid [1] 10/24 might [1] 12/12 mind [1] 17/7 month [3] 3/22 6/1 13/20 months [9] 10/25 11/21 11/23 12/11 13/2 13/3 13/21 13/24 13/24 more [6] 3/20 9/8 10/15 13/7 13/25 16/21 MORRIS [2] 2/3 3/4 mostly [1] 16/9 motion [1] 11/1 move [1] 12/22	moving [1] 11/20 Mr. [1] 2/24 3/7 15/13 Mr. Khan [1] 2/24 Mr. Pivovarov [2] 3/7 15/13 Ms. [11] 9/7 10/1 12/2 13/6 15/6 15/9 15/11 17/4 17/4 17/11 17/11 Ms. Farnan [2] 17/4 17/11 Ms. Jacobs [9] 9/7 10/1 12/2 13/6 15/6 15/9 15/11 17/4 17/11 much [1] 11/20 multi [2] 7/16 9/16 multi-step [1] 9/16 mute [1] 15/19 my [2] 2/23 18/4 N nature [1] 4/17 necessary [1] 6/13 need [6] 3/6 5/6 5/14 5/23 13/7 16/14 needed [2] 5/9 11/9 New [1] 14/8 next [1] 17/15 NICHOLS [2] 2/3 3/4 nine [1] 10/24 no [3] 1/4 17/15 17/20 not [14] 3/16 5/8 6/6 11/3 11/14 11/19 11/20 13/11 13/12 13/13 13/19 15/7 15/17 17/7 notes [1] 18/4 notice [1] 7/14 November [1] 1/10 now [3] 3/22 5/2 10/25 number [1] 8/7 O object [2] 10/1 10/2 obstacle [1] 13/9 occasioned [1] 9/15 off [1] 3/24 offered [1] 6/25 Official [1] 18/7 offline [1] 5/4 Oh [1] 8/13 okay [6] 6/2 8/15 9/24 10/5 10/9 15/14 OMAR [4] 1/23 2/24 4/21 17/1 once [1] 4/9 one [6] 3/14 8/12 11/11 11/13 14/1 17/7 ones [1] 12/7 only [4] 3/14 10/24 10/25 11/3 open [1] 7/21 operating [2] 10/12 12/2 opportunity [1] 10/3 optical [2] 9/4 9/5 optimal [1] 16/4
--	--	---	---	--

Q oral [1] 17/13 order [8] 4/23 5/8 5/15 6/4 6/14 12/23 17/13 17/16 ordinary [1] 9/10 other [4] 5/16 10/13 10/19 16/14 out [12] 4/9 7/17 7/21 10/16 10/21 11/6 11/16 16/15 16/17 16/21 16/24 17/6 over [1] 12/23 overall [2] 5/18 10/4 own [1] 14/18 owner [1] 14/14	2/16 17/23 process [2] 4/23 9/16 produce [2] 3/23 4/14 product [1] 12/18 production [4] 6/1 7/9 10/19 12/25 productions [1] 5/15 products [7] 3/17 6/6 6/11 11/10 12/16 12/17 14/2 proposal [4] 5/20 5/25 7/11 7/18 proposed [4] 4/23 11/21 16/25 17/16 proposes [1] 3/22 protective [1] 12/23 provide [11] 3/19 4/4 5/5 5/10 5/16 5/21 6/6 6/10 7/13 9/10 9/11 provided [1] 6/1 provides [1] 9/12 providing [1] 6/14 public [3] 14/11 15/8 15/10 publicly [2] 14/13 15/21 pull [1] 8/4 put [2] 3/16 7/13	room [2] 11/2 13/7 18/7 rule [1] 6/9 9/16 17/8 Rule 4 [1] 9/16 run [1] 3/8 S said [2] 13/2 15/6 same [5] 3/21 8/5 12/16 12/18 14/3 satisfied [2] 3/17 7/8 say [2] 5/21 14/7 saying [3] 8/16 9/7 13/23 schedule [7] 5/18 10/22 11/1 11/8 11/20 11/21 16/25 scheduling [2] 4/8 17/16 second [4] 8/4 11/13 11/23 13/15 see [4] 6/24 9/8 9/18 14/21 seems [1] 7/1 sense [1] 17/7 sent [2] 12/5 12/23 served [2] 5/23 12/22 set [1] 14/2 setting [1] 17/14 settle [1] 4/10 should [3] 4/10 6/13 13/20 Show [2] 7/20 7/21 side [1] 5/16 sides [2] 12/19 12/20 significant [1] 13/9 similar [2] 12/7 14/3 since [2] 11/11 11/12 sit [1] 6/23 sites [2] 14/8 14/9 sitting [1] 13/18 situation [1] 4/3 six [1] 8/12 slippage [1] 11/2 smaller [1] 15/24 so [23] some [7] 3/20 4/8 5/13 11/16 12/8 12/22 15/6 somebody [1] 13/18 something [1] 8/23 somewhat [1] 12/14 sophisticated [2] 12/19 12/19 Sorry [2] 8/19 14/14 sort [3] 4/8 5/21 7/15 spell [1] 14/16 standard [2] 6/21 7/7 start [2] 2/19 16/12 states [3] 1/1 1/15 14/9 stenographic [1] 18/4 step [4] 6/9 6/19 7/15 9/16	steps [3] 5/7 5/12 12/27 still [1] 17/6 straight [1] 6/13 Street [1] 1/13 stuff [1] 17/6 submit [1] 17/15 subsidiary [1] 14/12 substantially [1] 15/24 subsystem [1] 9/4 suggesting [1] 4/11 suit [3] 13/10 13/11 13/19 supplements [1] 5/17 sure [1] 15/9 suspect [1] 17/10 system [1] 9/5 T take [6] 4/1 4/5 5/4 8/13 9/21 9/22 taking [1] 9/24 talk [1] 11/22 talking [1] 9/9 technical [5] 3/19 3/23 3/25 4/4 4/15 technology [3] 10/14 12/15 14/3 teleconference [2] 1/11 2/16 tell [6] 7/20 9/19 14/5 14/22 15/2 15/11 ten [1] 13/19 terms [2] 10/23 13/10 than [8] 3/21 9/8 10/15 13/16 14/1 15/24 16/22 17/15 thank [3] 3/1 17/17 17/20 thanks [2] 7/5 17/21 that [63] that's [8] 4/17 6/12 6/16 9/9 13/8 13/25 16/4 16/20 their [6] 6/24 7/1 7/11 7/18 12/11 12/12 them [6] 4/15 4/15 4/16 5/5 7/13 12/5 then [8] 3/22 7/10 7/11 8/25 9/20 10/24 13/3 16/19 theories [2] 7/14 12/12 theory [1] 7/22 there [8] 4/13 4/13 4/17 5/13 10/22 10/22 11/16 13/6 there's [2] 16/11 17/6 thereby [1] 7/15 These [1] 12/3 they [9] 3/25 5/6 7/4 9/7 12/12 13/20 13/25 16/3 17/5 they've [1] 6/25 things [1] 9/25 think [22] this [21] those [5] 4/1 5/3	5/16 5/23 14/9 13/21 through [4] 3/8 9/20 12/11 16/22 TIGAN [2] 2/4 3/4 time [10] 4/13 7/2 7/18 9/12 9/15 11/16 13/25 14/1 15/6 17/18 timely [1] 5/17 times [1] 17/5 timing [3] 10/4 13/10 13/11 today [6] 2/25 3/6 5/22 5/23 6/19 17/18 top [1] 10/18 traded [2] 14/13 15/21 transcript [1] 18/4 trial [11] 4/10 9/19 11/7 13/17 13/20 13/23 16/6 16/7 16/13 16/20 17/14 tried [1] 16/3 true [1] 18/3 try [1] 16/10 trying [3] 3/24 4/4 7/17 TUNNELL [1] 2/3 two [7] 10/12 10/25 13/16 13/20 13/21 14/9 16/4 typical [1] 5/3 typically [1] 17/8 U U.S [1] 18/8 under [5] 4/22 6/4 6/9 13/1 13/4 understanding [1] 7/19 undoubtedly [1] 11/7 UNITED [2] 1/1 1/15 unless [1] 3/6 unusual [1] 4/3 up [1] 8/5 upfront [1] 7/11 urgency [1] 11/14 us [3] 4/14 11/8 16/24 usually [1] 5/16 V vague [1] 3/16 version [1] 8/10 very [5] 3/16 7/13 12/6 12/6 14/3 via [1] 2/16 W wait [2] 5/23 13/15 want [6] 3/10 4/6 6/25 8/25 9/7 10/21 wants [1] 4/6 was [13] 8/16 10/6 10/7 10/17 11/22 11/23 11/24 12/1 12/5 12/9 14/23 15/19 16/5 way [1] 5/17 we [47] we'll [3] 9/19 16/10 17/13
---	--	--	---	---

W
we're [6] 3/18 3/24
5/21 9/9 9/10 13/23
We've [1] 12/22
Wednesday [2] 1/10
17/15
week [1] 16/24
weeks [1] 10/25
well [4] 9/24 10/5
14/10 15/6
were [2] 3/15 7/8
what [16] 3/13 3/16
3/18 3/21 4/10 5/20
6/3 7/4 7/20 7/25
9/7 9/9 14/1 15/3
16/2 17/8
whatever [1] 5/5
when [5] 10/6 11/15
11/22 11/23 16/3
where [5] 4/13 7/21
8/3 13/6 14/6
whether [2] 13/13
13/20
which [5] 3/14 6/14
8/20 8/22 14/13
Who [1] 14/14
wholly [1] 14/18
why [3] 7/10 11/8
16/19
will [5] 2/24 3/5
7/20 11/22 15/17
WILMER [1] 1/22
WilmerHale [2] 2/23
4/21
Wilmington [1] 1/13
within [3] 6/1
12/16 16/4
without [4] 4/7
6/24 7/14 10/19
work [11] 4/9 5/4
5/16 9/20 10/19
13/8 16/15 16/17
16/21 16/24 17/6
working [1] 10/3
would [17] 3/18 5/4
5/21 5/25 6/10 7/7
7/23 8/2 8/8 8/9
9/22 10/3 11/3 11/6
11/7 14/7 15/9
wouldn't [1] 4/13

Y
Yeah [1] 14/4
year [2] 11/13 12/8
years [4] 13/16
13/19 13/21 16/4
yes [8] 3/12 8/6
8/24 13/22 15/21
15/23 17/2 17/3
you [44]
you're [2] 7/2
13/16
you've [1] 9/20
your [40]