

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CYTEK BIOSCIENCES, INC.,
Petitioner

v.

BECKMAN COULTER, INC.,
Patent Owner

Case No. PGR2025-00088
U.S. Patent No. 12,174,107 B2
Issue Date: December 24, 2024

Title: FLOW CYTOMETER

PETITIONER'S STIPULATION

Petitioner hereby stipulates that if this PGR is instituted, then Petitioner will not pursue in the related pending district court litigation, *Beckman Coulter, Inc. v. Cytek Biosciences, Inc.*, 1:24-cv-00945-CFC-EGT (D. Del.), (i) the specific grounds of invalidity that were raised or grounds that reasonably could have been raised under 35 U.S.C. §§ 102 or 103 on the basis of prior art patents or printed publications in this PGR; and (ii) grounds of invalidity under 35 U.S.C. § 103 on the basis of any other prior art that could not have been raised in the PGR (e.g., system art) in combination with any of the specific prior art references listed in the grounds for this PGR with respect to any challenged claim.

To avoid any doubt, if the PTAB declines institution or rescinds institution of PGR, or in the event of any subsequent vacatur of the institution and/or final written decision arising from this Petition, then Petitioner reserves the right to pursue any grounds of invalidity, including but not limited to the grounds in (i) and (ii), in the related pending district court litigation.

Dated: October 13, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6, that a complete copy of the attached **PETITIONER'S STIPULATION** and related documents, are being served via electronic mail on the 13th day of October, 2025, upon Patent Owner's attorneys of record in this proceeding as follows

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DATED: October 13, 2025

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