

HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BECKMAN COULTER, INC.,

Plaintiff,

v.

CYTEK BIOSCIENCES, INC.,

Defendant.

C.A. No. 24-0945-CFC

DEMAND FOR JURY TRIAL

**PLAINTIFF’S DISCLOSURE OF ASSERTED CLAIMS AND
INFRINGEMENT CONTENTIONS**

Pursuant to Paragraph 3 of the Scheduling Order dated November 14, 2024 (D.I. 25), Plaintiff Beckman Coulter, Inc. (“Beckman Coulter” or “Plaintiff”) hereby submits the following Disclosure of Asserted Claims and Infringement Contentions (“Infringement Contentions”) with respect to Defendant Cytek Biosciences, Inc. (“Cytek” or “Defendant”) for U.S. Patent Nos. 10,330,582 (the “’582 Patent”), 11,703,443 (the “’443 Patent”), 12,174,106 (the “’106 Patent”), and 12,174,107 (the “’107 Patent”) (collectively, the “Asserted Patents”).

I. PRELIMINARY STATEMENT

Plaintiff’s Infringement Contentions are based on information reasonably available to Plaintiff at this time. Discovery is still in the early stages, and Plaintiff’s investigation into this matter is ongoing. Plaintiff reserves the right to supplement or amend its Infringement Contentions based on additional information gathered during discovery, including, but not limited to, additional productions, expert

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opinions; and/or samples of Cytek's Accused Instrumentalities. Plaintiff additionally reserves the right to submit expert opinions and analyses of Cytek's infringement in accordance with the schedule for expert discovery set by the Court.

Additionally, Cytek's production of core technical documents pursuant to Paragraph 2 of the Scheduling Order (D.I. 25) was and is substantially deficient and failed to comply with the Court's order. For example, at least the following categories of core technical documents appear absent from Cytek's production: hardware architecture and product architecture specifications for the optical systems of each version of the Accused Instrumentalities; specifications, schematics, CAD files, and design drawings for elements of each Accused Instrumentality; ray trace diagrams demonstrating the optical path of the light in each version of each Accused Instrumentality; simulations; certain documents referenced in the appendices for the Northern Lights™ CL-CLC Technical File; documents showing any changes made to all relevant versions of core technical documents; documents demonstrating the operation of all versions of each Accused Instrumentality; and numerous other categories of core technical documents. Beckman Coulter repeatedly identified these and other deficiencies in correspondence dated January 17, 22, 27, and 29 and February 4 and 7, 2025 and asked Cytek to comply with its obligations to produce a complete set of core technical documents, but Cytek has thus far failed to remedy these deficiencies. Plaintiff reserves the right to supplement, modify, and/or amend

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these contentions once Cytek completes its production of core technical documents as required by the Court's order.

Plaintiff also reserves the right to assert additional patents, assert additional claims of the Asserted Patents, accuse different or additional products, and/or identify alternative literal or equivalent infringing elements in the Accused Instrumentalities to the extent Plaintiff becomes aware of additional relevant information during the course of fact discovery, including as a result of Cytek's documents production and/or completion of its core technical document production. Plaintiff also notes that the Court has not yet construed the terms of the Asserted Patents and therefore reserves all rights to supplement, modify, and/or amend this Disclosure of Asserted Claims and Infringement Contentions as appropriate in light of Defendant's claim construction contentions and/or the Court's *Markman* order. Accordingly, Plaintiff reserves the right to supplement, modify, and/or amend this Disclosure of Asserted Claims and Infringement Contentions.

Statements made herein are not admissions regarding the meaning of any claim term of the Asserted Patents. Statements made herein are also not admissions regarding the admissibility or authenticity of any documents cited or otherwise relied upon in support of these contentions.

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II. IDENTIFICATION OF ACCUSED INSTRUMENTALITIES AND ASSERTED CLAIMS

Based on the limited and incomplete information Cytek has produced to date, the Accused Instrumentalities include all past and present versions of the Cytek Aurora™, Aurora CS™, Northern Lights™, and Northern Lights™ NL-CLC flow cytometers, cell sorters, platforms, solutions, instruments, and analyzers, as well as all derivative products, all conveyed products, and/or all other components or products made, manufactured, used, purchased, sold, offered for sale, marketed, promoted, imported, exported, supplied, caused to be supplied, and/or induced to be used in connection with the foregoing (“Accused Instrumentalities”). **Exhibit 5** identifies Accused Instrumentalities for the purpose of this Disclosure of Asserted Claims and Infringement Contentions. Plaintiff reserves the right to amend this Disclosure of Asserted Claims and Infringement Contentions as appropriate in light of Cytek’s forthcoming document production, interrogatory answers, and/or identification of any other products that Cytek makes, uses, sells, supplies, offers for sale, and/or imports.

Based on the limited and incomplete information Cytek has produced to date, the Accused Instrumentalities and/or components thereof infringe at least each of the following Asserted Claims of the Asserted Patents, as further detailed in **Exhibits 1-4**:

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Exhibit	Asserted Patent	Asserted Claims
1	10,330,582	1-3, 5-12, 14-18, 20-23, 25-26
2	11,703,443	1-20
3	12,174,106	1-6, 8-15, 17-20
4	12,174,107	1-30

III. INFRINGEMENT

A. Cytek’s Infringement Under 35 U.S.C. § 271

Defendant has directly infringed and continues to directly infringe each Asserted Claim of each Asserted Patent under 35 U.S.C. § 271(a), (b), (c), and/or (f) as a result of its activities relating to the Accused Instrumentalities, including the make, manufacture, use, purchase, sale, offer for sale, import, export, contributory infringement, and/or inducement of the use of the Accused Instrumentalities and/or components thereof.

Exhibits 1-4 attached hereto set forth the bases for Defendant’s infringement of the Asserted Claims as to each limitation of each Asserted Claim in the Asserted Patents by the Accused Instrumentalities. The exhibits specifically identify each infringing limitation practiced by the Accused Instrumentalities. Citations to particular documents or portions of documents in the attached exhibits are representative and non-exhaustive, including in view of ongoing deficiencies in Cytek’s core technical document production, as discussed above. For example, where a claim limitation is implemented in the same or substantially the same way for each version and/or workflow of the Accused Instrumentalities, Plaintiff

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provides an exemplary illustration and description setting forth how the Accused Instrumentalities satisfy the claim limitation, without repeating the same illustration or description for each version and/or workflow of each Accused Instrumentality. For the avoidance of doubt, a reference to a page of a document is a reference to the entire document and to every page of that document, which is expressly incorporated by reference herein and in Exhibits 1-4. For the further avoidance of doubt, a reference to the name of a file produced natively is a reference to every file produced natively with the same name and every version of the native files named, which are expressly incorporated by reference herein and in Exhibits 1-4.

Defendant has and continues to infringe each limitation of each Asserted Claim of the Asserted Patents directly, literally, and/or by equivalents under § 271(a). By making, importing, offering to sell, selling, performing research, development, and testing, and/or using the Accused Instrumentalities in the United States, Defendant infringes the Asserted Claims of the Asserted Patents.

Defendant has actively induced and continues to actively induce infringement of each Asserted Claim of each Asserted Patent under 35 U.S.C. § 271(b). Defendant has long had knowledge of the Asserted Patents and of its infringement. *See, e.g.*, D.I. 1 at ¶¶ 16-23, 29-31, 37-39; D.I. 16 at ¶¶ 18, 22, Counterclaim ¶ 11; D.I. 42 at ¶¶ 18-27, 32-34, 40-42, 48-50, 56-58; D.I. 48 at ¶¶ 20, 24, Counterclaim ¶ 11. Defendant knew and intended that its making, offering for sale, sale, and

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importing of the Accused Instrumentalities and their subsequent use according to Defendant's guides, manuals, instructions, and marketing materials would infringe the Asserted Claims of the Asserted Patents. *See, e.g.*, CYTEK_0000011064; CYTEK_0000011098; CYTEK_0000005641.¹ Defendant provides customers with the Accused Instrumentalities, along with instructions for use, that, when followed in an intended manner and in a normal mode of operation, Defendant knew infringed the Asserted Claims or was willfully blind to such infringement. *See, e.g.*, CYTEK_0000008383, Cytek[®] Aurora CS User's Guide (providing instructions for using the Cytek Aurora flow cytometer); BEC-Cytek-00009094, Cytek[®] Aurora User's Guide (providing instructions for using the Cytek Aurora CS cell sorter); CYTEK_0000008909, Cytek[®] Northern Lights-CLC User's Guide (providing instructions for using the Cytek Aurora Northern Lights-CLC flow cytometer)²; CYTEK_0000009029, Cytek[®] Northern Lights User's Guide (providing instructions for using the Cytek Northern Lights flow cytometer); CYTEK_0000009149, Cytek[®] Northern Lights (NL)-CLC User's Guide (providing instructions for using the Cytek

¹ *See also, e.g.*, CYTEK_0000005647; CYTEK_0000005644; CYTEK_0000005656; CYTEK_0000008584; CYTEK_0000009783; CYTEK_0000009784; CYTEK_0000009785; CYTEK_0000009786; CYTEK_0000009845; CYTEK_0000009846; CYTEK_0000009847; CYTEK_0000009848; CYTEK_0000009849; CYTEK_0000009921; CYTEK_0000009946; CYTEK_0000010012; CYTEK_0000010038.

² *See also, e.g.*, CYTEK_0000009557, Cytek[®] Northern Lights[™]-CLC User's Guide.

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Northern Lights (NL)-CLC flow cytometer)³; CYTEK_000002061, Aurora™
Service Manual (providing instructions for using the Cytek Aurora™)⁴;
CYTEK_000002507, Northern Lights NL-CLC Service Manual (providing
instructions for using the Northern Lights NL-CLC); CYTEK_000005338, Plate
Loader Service Manual (providing instructions for the Plate Loader);
CYTEK_000005664, Aurora CS Service Manual Guide (providing instructions for
using the Aurora CS)⁵; CYTEK_000008311, Why Use Cytek Aurora & Aurora CS
Systems (encouraging use of Aurora and Aurora CS).⁶ Further, the Accused
Instrumentalities function in the same manner as the claimed inventions. *Compare*
'582 Patent at FIG. 25 (illustrating an optical subsystem), '443 Patent at FIG. 25
(same), '106 Patent at FIG. 25 (same), '107 Patent at FIG. 25 (same) with BEC-

³ See also, e.g., CYTEK_000009271; CYTEK_000009435.

⁴ See also, e.g., CYTEK_000002264; CYTEK_000003882;
CYTEK_000005697.

⁵ See also, e.g., CYTEK_000005673; CYTEK_000005706;
CYTEK_000005737; CYTEK_000005880; CYTEK_000006544;
CYTEK_000006655; CYTEK_000006767; CYTEK_000007697;
CYTEK_000007824; CYTEK_000007952; CYTEK_000007998;
CYTEK_000008199; CYTEK_000008235; CYTEK_000008237;
CYTEK_000008284.

⁶ See also, e.g., CYTEK_000008312; CYTEK_000008328;
CYTEK_000008335; CYTEK_000008347; CYTEK_000008359;
CYTEK_000008371; CYTEK_000008583; CYTEK_000008831;
CYTEK_000008838; CYTEK_000008850; CYTEK_000008862;
CYTEK_000008874; CYTEK_000008885; CYTEK_000008897;
CYTEK_000009725; CYTEK_000009736; CYTEK_000009747;
CYTEK_000009758; CYTEK_000009771.

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CYTEK-00009226 at 2 (“Light emitted from the sample is collected and passes through the optical filter-based coarse wavelength division multiplexing (CWDM) demultiplexer arrays on the Cytek Aurora and Northern Lights cytometers.”). Defendant provides its customers with the Accused Instrumentalities, user guides, manuals, instructions, and marketing materials despite knowledge of, or willful blindness to, the Asserted Patents and knowledge of, or willful blindness to, the fact that the induced acts infringe one or more of the Asserted Claims. Such conduct by Defendant is intended to cause, and has resulted in, past and ongoing direct infringement of the Asserted Patents by Cytek’s customers in the United States.

Defendant has contributed and continues to contribute to the infringement of the Asserted Claims of the Asserted Patents under 35 U.S.C. § 271(c). Defendant has had knowledge of, or willful blindness to, the Asserted Patents and of its infringement. *See, e.g.*, D.I. 1 at ¶¶ 16-23, 29-31, 37-39; D.I. 16 at 18, 22, Counterclaim ¶ 11; D.I. 42 at ¶¶ 18-27, 32-34, 40-42, 48-50, 56-58; D.I. 48 at ¶¶ 20, 24, Counterclaim ¶ 11. Defendant has designed the Accused Instrumentalities and/or component(s) thereof to specifically be used in the manner recited in the Asserted Claims of the Asserted Patents. As such, the Accused Instrumentalities and/or component(s) thereof comprise a material part of the patented inventions, are specifically designed to be used according to the Asserted Claims of the Asserted Patents and are especially made and adapted for use in a manner that infringes the

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Asserted Claims of the Asserted Patents. Defendant thus offers for sale and sells the Accused Instrumentalities and/or component(s) thereof within the United States knowing these products are especially made and adapted for use in a manner that infringes the Asserted Claims of the Asserted Patents. Further, these products are not staple articles of commerce suitable for substantial non-infringing use. Additionally, Defendant offers to sell and/or sells the Accused Instrumentalities and/or component(s) thereof to third parties, including Defendant's customers, who use Defendant's products in a manner that directly infringes the Asserted Claims of the Asserted Patents.

Defendant has infringed and continues to infringe the Asserted Claims of the Asserted Patents under 35 U.S.C. § 271(f)(1). Defendant has had knowledge of, or willful blindness to, the Asserted Patents and of its infringement. *See, e.g.*, D.I. 1 at ¶¶ 16-23, 29-31, 37-39; D.I. 16 at ¶¶ 18, 22, Counterclaim ¶ 11; D.I. 42 at ¶¶ 18-27, 32-34, 40-42, 48-50, 56-58; D.I. 48 at ¶¶ 20, 24, Counterclaim ¶ 11. Defendant knows that to the extent it supplies all or a substantial portion of the components of the Accused Instrumentalities, which are uncombined in whole or in part, in or from the United States to actively induce the combination of such components outside the United States Defendant is supplying all or substantial portion of the component(s) of the inventions claimed in the Asserted Claims of the Asserted Patents in a manner that infringes the claims. *See, e.g.*, CYTEK_0000008584 at 8604 (“The NL-CLC

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is manufactured by Cytex at its own facilities in China.”); CYTEK_0000009785 (identifying components of the NL-CLC made in Fremont, California).⁷ Defendant further understands that the combination of the supplied component(s) according to Defendant’s guides, instructions, manuals and marketing materials infringes the Asserted Claims of the Asserted Patents. *See, e.g.*, CYTEK_0000008383, Cytex[®] Aurora CS User’s Guide (providing instructions for using the Cytex Aurora flow cytometer); BEC-Cytex-00009094, Cytex[®] Aurora User’s Guide (providing instructions for using the Cytex Aurora CS cell sorter); CYTEK_0000008909, Cytex[®] Northern Lights-CLC User’s Guide (providing instructions for using the Cytex Aurora Northern Lights-CLC flow cytometer)⁸; CYTEK_0000009029, Cytex[®] Northern Lights User’s Guide (providing instructions for using the Cytex Northern Lights flow cytometer); CYTEK_0000009149, Cytex[®] Northern Lights (NL)-CLC User’s Guide (providing instructions for using the Cytex Northern Lights (NL)-CLC flow cytometer)⁹; CYTEK_0000002061, Aurora[™] Service Manual

⁷ *See also, e.g.*, CYTEK_0000011064; CYTEK_0000009783; CYTEK_0000009784; CYTEK_0000009786; CYTEK_0000009845; CYTEK_0000009846; CYTEK_0000009847; CYTEK_0000009848; CYTEK_0000009849; CYTEK_0000009921; CYTEK_0000009946; CYTEK_0000010012; CYTEK_0000010038.

⁸ *See also, e.g.*, CYTEK_0000009557-0000009724, Cytex[®] Northern Lights[™]-CLC User’s Guide.

⁹ *See also, e.g.*, CYTEK_0000009271; CYTEK_0000009435.

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(providing instructions for using the Cytek Aurora™)¹⁰; CYTEK_0000002507, Northern Lights NL-CLC Service Manual (providing instructions for using the Northern Lights NL-CLC); CYTEK_0000005338, Plate Loader Service Manual (providing instructions for the Plate Loader); CYTEK_0000005664, Aurora CS Service Manual Guide (providing instructions for using the Aurora CS)¹¹; CYTEK_0000008311, Why Use Cytek Aurora & Aurora CS Systems (encouraging use of Aurora and Aurora CS).¹² Additionally, to the extent supplied abroad, Defendant supplies to customers the Accused Instrumentalities and/or component(s) thereof along with directions and instructions for use that, when followed in the manner intended by Defendant and in a normal mode of operation, Defendant knows, or is willfully blind to, and intends actively induce consumers to combine

¹⁰ *See also, e.g.*, CYTEK_0000002264; CYTEK_0000003882; CYTEK_0000005697.

¹¹ *See also, e.g.*, CYTEK_0000005673; CYTEK_0000005706; CYTEK_0000005737; CYTEK_0000005880; CYTEK_0000006544; CYTEK_0000006655; CYTEK_0000006767; CYTEK_0000007697; CYTEK_0000007824; CYTEK_0000007952; CYTEK_0000007998; CYTEK_0000008199; CYTEK_0000008235; CYTEK_0000008237; CYTEK_0000008284.

¹² *See, e.g.*, CYTEK_0000008312; CYTEK_0000008328; CYTEK_0000008335; CYTEK_0000008347; CYTEK_0000008359; CYTEK_0000008371; CYTEK_0000008583; CYTEK_0000008831; CYTEK_0000008838; CYTEK_0000008850; CYTEK_0000008862; CYTEK_0000008874; CYTEK_0000008885; CYTEK_0000008897; CYTEK_0000009725; CYTEK_0000009736; CYTEK_0000009747; CYTEK_0000009758; CYTEK_0000009771.

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the component(s) in a manner that would infringe the Asserted Claims of the Asserted Patents if such combination occurred in the United States. *See, e.g.*, CYTEK_0000008584 at 8604 (“The NL-CLC is manufactured by Cytek at its own facilities in China.”); CYTEK_0000009785 (identifying components of the NL-CLC made in Fremont, California).¹³ Such conduct by Defendant is intended to cause, and has resulted in, the past and ongoing combination of component(s) that would infringe the Asserted Claims of the Asserted Patents if such combination occurred in the United States.

Defendant has and continues to infringe the Asserted Claims of the Asserted Patents under 35 U.S.C. § 271(f)(2). Defendant has had knowledge of, or willful blindness to, the Asserted Patents and of its infringement. *See, e.g.*, D.I. 1 at ¶¶ 16-23, 29-31, 37-39; D.I. 42 at ¶¶ 18-27, 32-34, 40-42, 48-50, 56-58; D.I. 16 at ¶¶ 18, 22, Counterclaim ¶ 11; D.I. 48 at ¶¶ 20, 24, Counterclaim ¶ 11. Defendant knows that to the extent it supplies any component of the Accused Instrumentalities that is especially made or especially adapted for us in the invention and not a staple article or commodity of commerce capable for substantial noninfringing use in and from

¹³ *See also, e.g.*, CYTEK_0000011064; CYTEK_0000009783; CYTEK_0000009784; CYTEK_0000009786; CYTEK_0000009845; CYTEK_0000009846; CYTEK_0000009847; CYTEK_0000009848; CYTEK_0000009849; CYTEK_0000009921; CYTEK_0000009946; CYTEK_0000010012; CYTEK_0000010038.

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the United States, where such component is uncombined in whole or in part and intending that such component will be combined outside the United States, Defendant is supplying at least one component especially made and especially adapted for use in the inventions claimed in the Asserted Claims of the Asserted Patents in a manner that infringes the claims. *See, e.g.*, CYTEK_0000008584 at 8604 (“The NL-CLC is manufactured by Cytek at its own facilities in China.”); CYTEK_0000009785 (identifying components of the NL-CLC made in Fremont, California).¹⁴ Defendant further understands that the combination of the supplied component(s) according to Defendant’s guides, instructions, manuals and marketing materials infringes the Asserted Claims of the Asserted Patents. *See, e.g.*, CYTEK_0000008383, Cytek® Aurora CS User’s Guide (providing instructions for using the Cytek Aurora flow cytometer); BEC-Cytek-00009094, Cytek® Aurora User’s Guide (providing instructions for using the Cytek Aurora CS cell sorter); CYTEK_0000008909, Cytek® Northern Lights-CLC User’s Guide (providing instructions for using the Cytek Aurora Northern Lights-CLC flow cytometer)¹⁵; CYTEK_0000009029, Cytek® Northern Lights User’s Guide (providing instructions

¹⁴ *See also, e.g.*, CYTEK_0000011064; CYTEK_0000009783; CYTEK_0000009784; CYTEK_0000009786; CYTEK_0000009845; CYTEK_0000009846; CYTEK_0000009847; CYTEK_0000009848; CYTEK_0000009849; CYTEK_0000009921; CYTEK_0000009946; CYTEK_0000010012; CYTEK_0000010038.

¹⁵ *See also, e.g.*, CYTEK_0000009557.

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for using the Cytex Northern Lights flow cytometer); CYTEK_0000009149, Cytex[®] Northern Lights (NL)-CLC User's Guide (providing instructions for using the Cytex Northern Lights (NL)-CLC flow cytometer)¹⁶; CYTEK_0000002061, Aurora[™] Service Manual (providing instructions for using the Cytex Aurora[™])¹⁷; CYTEK_0000002507, Northern Lights NL-CLC Service Manual (providing instructions for using the Northern Lights NL-CLC); CYTEK_0000005338, Plate Loader Service Manual (providing instructions for the Plate Loader); CYTEK_0000005664, Aurora CS Service Manual Guide (providing instructions for using the Aurora CS)¹⁸; CYTEK_0000008311, Why Use Cytex Aurora & Aurora CS Systems (encouraging use of Aurora and Aurora CS).¹⁹ Additionally, to the

¹⁶ See also, e.g., CYTEK_0000009271; CYTEK_0000009435.

¹⁷ See also, e.g., CYTEK_0000002264; CYTEK_0000003882; CYTEK_0000005697.

¹⁸ See also, e.g., CYTEK_0000005673; CYTEK_0000005706; CYTEK_0000005737; CYTEK_0000005880; CYTEK_0000006544; CYTEK_0000006655; CYTEK_0000006767; CYTEK_0000007697; CYTEK_0000007824; CYTEK_0000007952; CYTEK_0000007998; CYTEK_0000008199; CYTEK_0000008235; CYTEK_0000008237; CYTEK_0000008284.

¹⁹ CYTEK_0000008312; CYTEK_0000008328; CYTEK_0000008335; CYTEK_0000008347; CYTEK_0000008359; CYTEK_0000008371; CYTEK_0000008583; CYTEK_0000008831; CYTEK_0000008838; CYTEK_0000008850; CYTEK_0000008862; CYTEK_0000008874; CYTEK_0000008885; CYTEK_0000008897; CYTEK_0000009725; CYTEK_0000009736; CYTEK_0000009747; CYTEK_0000009758; CYTEK_0000009771.

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extent supplied abroad, Defendant supplies to customers the Accused Instrumentalities and/or component(s) thereof along with directions and instructions for use that, when followed in an intended manner and in a normal mode of operation, Defendant knows and intends would result in a combination that would infringe the Asserted Claims of the Asserted Patents if such combination occurred in the United States. *See, e.g.*, CYTEK_0000008584 at 8604 (“The NL-CLC is manufactured by Cytex at its own facilities in China.”); CYTEK_0000009785 (identifying components of the NL-CLC made in Fremont, California).²⁰

B. Cytex Infringes Literally and Under the Doctrine of Equivalents

Each limitation of each Asserted Claim is literally present in and/or practiced by the Accused Instrumentalities as set forth in **Exhibits 1-4**. To the extent that any claim limitation is not found to be literally embodied in and/or practiced by the Accused Instrumentalities, each such limitation is embodied in and/or practiced by the Accused Instrumentalities under the doctrine of equivalents—*e.g.*, because the Accused Instrumentalities perform substantially the same function, in substantially the same way, to achieve substantially the same result as would be achieved by the

²⁰ *See also, e.g.*, CYTEK_0000011064; CYTEK_0000009783; CYTEK_0000009784; CYTEK_0000009786; CYTEK_0000009845; CYTEK_0000009846; CYTEK_0000009847; CYTEK_0000009848; CYTEK_0000009849; CYTEK_0000009921; CYTEK_0000009946; CYTEK_0000010012; CYTEK_0000010038.

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limitations if literally present, and/or because the differences between the claim limitation and the corresponding functionality or feature in the Accused Instrumentalities are insubstantial. *See Exhibits 1-4*. Plaintiff reserves the right to identify alternative literal or equivalent infringing elements in the Accused Instrumentalities to the extent Plaintiff becomes aware of additional relevant information during the course of fact discovery, including in view of Defendant's deficient core technical document production, or in light of Defendant's claim construction or invalidity contentions or the Court's *Markman* order. Plaintiff's infringement theories under the doctrine of equivalents are set forth in **Exhibits 1-4**, which are incorporated herein.

IV. WILLFULNESS

Defendant's infringement is willful because Defendant knew of, should have known, and/or was willfully blind to the Asserted Patents and Defendant's infringement thereof but nevertheless continued its willful and deliberate infringement of the Asserted Patents.

First, Cytek is a competitor of Beckman Coulter with sophisticated processes that identified, monitored, investigated, and assessed Beckman Coulter's patent portfolio, including Beckman Coulter's marked flow cytometer and cell sorter patents. *See, e.g.*, U.S. Patent No. 10,739,245 (Cytek patent citing Beckman Coulter's U.S. Patent No. 7,440,101, entitled "System and method for multiple laser

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triggering”); U.S. Patent No. 8,660,332 at 2:7-10 (Cytek patent stating “Companies such as ... Beckman Coulter Inc. (Fullerton, Calif.) ... continue to advance [flow cytometry] technologies.”). Beckman Coulter’s patent portfolio includes the Asserted Patents.

Cytek has long been aware of the patent family containing the Asserted Patents and therefore knew, or should have known, about the Asserted Patents themselves. Cytek admits that it has long been aware of the ’582 and U.S. Patent No. 9,746,412 (the “’412 Patent”), conceding that it became aware of both the ’582 Patent and the ’412 Patent since at least “on or around July 31, 2020” and reviewed both patents at least as of “early August 2020.” Defendant Cytek Biosciences, Inc.’s Responses and Objections to Plaintiff’s First Set of Interrogatories (Nos. 1-15) at 17; D.I. 48 ¶ 20. The ’412 Patent is in the same patent family as the Asserted Patents and is the parent of the ’582 Patent, and the ’412 Patent and the Asserted Patents share the same inventor and specification.

Further, Cytek’s U.S. Patent No. 10,436,697 cites U.S. Publication No. 2015/0115174 (the “’174 Publication”), a publication of U.S. Application No. 14/555,102, which issued as the ’412 Patent. Cytek has known about the ’174 Publication since at least May 7, 2019, when Cytek filed an Information Disclosure Statement with the U.S. Patent and Trademark Office identifying the ’174 Publication. Similarly, Cytek’s U.S. Patent No. 11,333,597 cites the ’412 Patent.

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On June 17, 2021, Cytek filed an Information Disclosure Statement with the U.S. Patent and Trademark Office in connection with the application for the '597 patent identifying the '412 Patent. As noted above, the '412 Patent and the Asserted Patents are in the same family and share the same inventor and specification.

Second, Cytek and Beckman Coulter are and were sophisticated parties and competitors in the flow cytometer and cell sorter markets. Beckman Coulter has sold flow cytometry and cell sorter products since at least 1984, and Cytek has sold flow cytometry and cell sorter products since at least 2011. It is common practice for companies in these markets to identify, monitor, investigate, and assess competitor products and competitor patents for risk assessment purposes, and as a result, companies in this market identify, monitor, investigate, and assess Beckman Coulter products, such as Beckman Coulter's CytoFLEX products, and the patents marked thereon. Consistent with this, Cytek identified, monitored, investigated, and assessed its competitors' patents, including Beckman Coulter's patents, which include the Asserted Patents. For example, Cytek publicly stated that it was aware of patents and applications owned by competitors that covered flow cytometers, cell sorters, and related devices; publicly acknowledged that third parties may have had

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patents on which Cytex's products infringed; and stated that it expected to be increasingly subject to third-party infringement claims.²¹

Similarly, Cytex's counterclaim alleges that "Cytex ... believe[d] that the CytoFLEX® products are covered by the '443, '582, and '106 Patents" (D.I. 48, Counterclaim ¶ 35; *see also* D.I. 16, Counterclaim ¶ 34), further evidencing its awareness of the relevant patent family, including the Asserted Patents.²²

Third, the Infringing Instrumentalities function in the same or substantially the same manner as the claimed inventions. For example, Cytex's product literature and webpage for the Infringing Instrumentalities feature optical ray diagrams that are substantially similar to the figures in the Asserted Patents. *Compare* '582 Patent at FIG. 25 (illustrating an optical subsystem), '443 Patent at FIG. 25 (same), '106 Patent at FIG. 25 (same), '107 Patent at FIG. 25 (same) *with* BEC-CYTEK-00009226 at 2 (similar illustration of an optical subsystem) *and* BEC-CYTEK-00039733 (same).

Fourth, prior to the filing of the Complaint on August 14, 2024, and during the damages period under 35 U.S.C. § 286, the '443 and '582 Patents were listed on

²¹ *See, e.g.*, Cytex, Inc. Form S1 (2021), BEC-CYTEK-00066256 at 123-24.

²² As explained in Beckman Coulter, Inc.'s Answer and/or Reply to Counterclaim, Beckman Coulter denies that it falsely marked the CytoFLEX Products with the '582 and '443 Patents. (D.I. 19 ¶¶ 12-34). Beckman Coulter also denies that it falsely marked the CytoFLEX Products with the '106 Patent.

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Beckman Coulter’s public virtual marking page in associated with its CytoFLEX platform products,²³ and Beckman Coulter properly fixed the words “patent” or “pat.” next to the virtual marking web address on its CytoFLEX platform products and/or the package of the CytoFLEX platform products in compliance with 35 U.S.C. § 287. *Infra* Section VIII.I. Similarly, prior to the filing of the Amended Complaint on January 9, 2025, and during the damages period under 35 U.S.C. § 286, the ’106 and ’107 Patents were listed on Beckman Coulter’s public virtual marking page in associated with its CytoFLEX platform products, and Beckman Coulter properly fixed the words “patent” or “pat.” next to the virtual marking web address on its CytoFLEX platform products and/or the package of the CytoFLEX platform products in compliance with 35 U.S.C. § 287. *Infra* Section VIII.I. Further, the Asserted Patents are known in the industry and have been cited by at least 20 patents.

As Cytex acknowledged, Cytex’s Aurora and Northern Lights flow cytometers and Aurora CS cell sorters are in direct competition with Beckman Coulter’s CytoFLEX flow cytometer and cell sorter products marked with the Asserted Patents, and therefore, Cytex considered Beckman Coulter’s CytoFLEX flow cytometer and cell sorter products to be in direct competition with at least the

²³ See <https://www.beckman.com/patents>.

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Accused Instrumentalities.²⁴ Thus, Cytek monitored, investigated, and assessed at least the patents marked on Beckman Coulter’s CytoFLEX flow cytometer and cell sorter products and therefore knew or should have known that at least the Accused Instrumentalities were infringing the Asserted Patents, or else Cytek deliberately avoided evaluating its products and was willfully blind to its infringement of the Asserted Patents and acted despite an objectively high likelihood that its products infringed the Asserted Patents. For example, Cytek’s counterclaim alleges that it was “believe[d] that the CytoFLEX® products are covered by the ’443, ’582, and ’106 patents,” (D.I. 48, Counterclaim ¶ 35; *see also* D.I. 16, Counterclaim ¶ 34), evidencing that Cytek monitored the relevant patent family, including the Asserted Patents, and also at least the patents marked on Beckman Coulter’s CytoFLEX platform products.²⁵ Cytek further admits that Beckman Coulter “has marked the CytoFLEX® products with the ’582 patent since at least October 17, 2021” and

²⁴ *See, e.g.*, Cytek, Inc. Form S1 (2021), BEC-CYTEK-00066256 at 122-23 (“Our direct competitors include ...Beckman Coulter (Danaher Corporation)...”); D.I. 16, Counterclaim ¶ 10 (“Beckman Coulter sells flow cytometers that compete with those sold by Cytek. Specifically, Beckman Coulter sells a family of flow cytometers (CytoFLEX®, CytoFLEX® S, CytoFLEX® LX, CytoFLEX® nano), and a cell sorter (CytoFLEX® SRT) with the brand names CytoFLEX® (collectively referred to herein as ‘the CytoFLEX® products’), each of which contains a WDM.”); D.I. 48, Counterclaim ¶ 10 (same).

²⁵ As explained in Beckman Coulter, Inc.’s Answer and/or Reply to Counterclaim, Beckman Coulter denies that it falsely marked the CytoFLEX Products with the ’582 and ’443 Patents. (D.I. 19 at ¶¶ 12-34). Beckman Coulter also denies that it falsely marked the CytoFLEX Products with the ’106 Patent.

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“started virtually marking the CytoFLEX® products with the ’443 patent somewhere between February 19, 2024 and September 9, 2024.” D.I. 16, Counterclaim ¶ 29; *see also, e.g.*, D.I. 48, Counterclaim ¶ 30. Cytek also admits that Beckman Coulter “started virtually marking the CytoFLEX® products with the ’106 patent somewhere between September 10, 2024 and now.” D.I. 48, Counterclaim ¶ 30. Thus, Cytek knew or should have known that at least the Accused Instrumentalities were infringing the ’582 Patent since at least October 17, 2021, the ’443 Patent since at least February-September 2024, and the ’106 and ’107 Patents since issuance.

Moreover, Cytek admits that it received a June 14, 2024 letter from Beckman Coulter. D.I. 16 at ¶¶ 18, 22, Counterclaim ¶ 11; *see also, e.g.*, D.I. 1-3 at Exhibit 16; D.I. 48 at ¶¶ 20, 24, Counterclaim ¶ 11. The letter informed Cytek of the ’582 and ’443 Patents, as Cytek admits. D.I. 1-3 at Exhibit 16; *see also, e.g.*, D.I. 16 at ¶¶ 18, 22, Counterclaim ¶ 11; D.I. 48 at ¶¶ 20, 24, Counterclaim ¶ 11. The letter accused Cytek of infringing the ’443 and ’582 Patents and provided claim charts, as Cytek admits. D.I. 1-3 at Exhibit 16; *see also, e.g.*, D.I. 16 at ¶¶ 18, 22, Counterclaim ¶ 11; D.I. 48 at ¶¶ 20, 24, Counterclaim ¶ 11. This letter provided Cytek with actual notice of the ’443 and ’582 Patents and explained how and why Cytek’s products infringe. D.I. 1-3 at Exhibit 16. Accordingly, Cytek has known of the ’443 and ’582 Patents and recognized that it was infringing, directly and/or indirectly, the ’443 and ’582 Patents at least as of June 14, 2024. Notwithstanding its knowledge of the

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Asserted Patents and its infringement, Cytek continues to willfully and intentionally infringe.

Cytek received additional notice of the '443 and '582 Patents and its infringement thereof on August 14, 2024, when Beckman Coulter filed the Complaint in this proceeding. D.I. 1. The Complaint attached copies of the '582 and '443 Patents and exemplary infringement charts as exhibits, which provided Cytek with further notice of the '443 and '582 Patents and explained how and why the Accused Instrumentalities infringe. D.I. 1, 1-1; D.I. 48 ¶ 25. Accordingly, Cytek has known of the '443 and '582 Patents and its infringement thereof at least as of the date of the Complaint. Notwithstanding its knowledge of the Asserted Patents and its infringement, Defendant continues to willfully and intentionally infringe.

Further, Cytek received additional notice of the '106 and '107 Patent on January 9, 2025, when Beckman Coulter filed the First Amended Complaint in this proceeding. D.I. 42; D.I. 48 ¶ 20. The First Amended Complaint attached copies of the Asserted Patents and exemplary infringement charts as exhibits, which provided Cytek with actual notice of the Asserted Patents, including the '106 and '107 Patents, and explained how and why the Accused Instrumentalities infringe. D.I. 42, 42-2, 42-3, 42-4, 42-5, 43-16, 43-17, 43-18, 43-19. Accordingly, Cytek has known of the '106 and '107 Patents and its infringement thereof at least as of the date of the

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Amended Complaint. Notwithstanding its knowledge of the '106 and '107 Patents and its infringement, Defendant continues to willfully and intentionally infringe.

V. EMBODYING INSTRUMENTALITIES

The identification of Embodying Instrumentalities and practiced claims are subject to expert analysis. Beckman Coulter therefore reserves the right to amend its identification of Embodying Instrumentalities and practiced claims during or following expert discovery in this case. Beckman Coulter additionally reserves the right to submit expert opinions and analyses of the Embodying Instrumentalities and practiced claims in accordance with the schedule for expert discovery set by the Court. Based on the information currently available to Plaintiff and pursuant to Paragraph 3(g) of the Scheduling Order (D.I. 25), the Embodying Instrumentalities are

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VI. PRIORITY DATES

The priority date for the Asserted Claims is subject to expert analysis. Beckman Coulter therefore reserves the right to amend its identification of the priority date following expert discovery in this case. Beckman Coulter additionally reserves the right to submit expert opinions and analyses of the priority date in accordance with the schedule for expert discovery set by the Court. Based on the information currently available to Plaintiff and pursuant to Paragraph 3(f) of the Scheduling Order (D.I. 25), Plaintiff hereby identifies the following priority dates for each asserted claim:

Asserted Patent	Asserted Claims	Priority Date
10,330,582	1-3, 5-12, 14-18, 20-23, 25-26	The claimed inventions are described in provisional application 61/715,819, to which the '582 Patent claims priority.

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		<p>This provisional application has a filing date of October 18, 2012.²⁶</p> <p>The inventions claimed in the '582 Patent were conceived no earlier than [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]. Other evidence supporting the conception and reduction to practice of the inventions claimed in the '582 Patent include the documents identified in Section VIII.B below.</p>
11,703,443	1-20	The claimed inventions are described in provisional application 61/715,819, to which the '443 Patent claims priority.

²⁶ In the alternative, Beckman Coulter reserves the right to assert that the claims of the '582 Patent are, at minimum, entitled to a priority date of April 29, 2013 (the filing date of Provisional Application No. 61/816,819) or May 30, 2013 (the filing date of PCT/US2013/043453). The inventions of the Asserted Claims are also disclosed in Provisional Application 61/653,328, filed May 30, 2012, Provisional Application 61/653,245, filed May 30, 2012, Provisional Application No. 61/715,836, filed October 19, 2012, and Provisional Application 61/911,859, filed December 4, 2013.

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		<p>This provisional application has a filing date of October 18, 2012.²⁷</p> <p>The inventions claimed in the '443 Patent were conceived no earlier than [REDACTED].</p> <p>[REDACTED]. Other evidence supporting the conception and reduction to practice of the inventions claimed in the '443 Patent include the documents identified in Section VIII.B below.</p>
12,174,106	1-6, 8-15, 17-20	The claimed inventions are described in provisional application 61/715,819, to which the '106 Patent claims priority.

²⁷ In the alternative, Beckman Coulter reserves the right to assert that the claims of the '443 Patent are, at minimum, entitled to a priority date of April 29, 2013 (the filing date of Provisional Application No. 61/816,819) or May 30, 2013 (the filing date of PCT/US2013/043453). The inventions of the Asserted Claims are also disclosed in Provisional Application 61/653,328, filed May 30, 2012, Provisional Application 61/653,245, filed May 30, 2012, Provisional Application No. 61/715,836, filed October 19, 2012, and Provisional Application 61/911,859, filed December 4, 2013.

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		<p>This provisional application has a filing date of October 18, 2012.²⁸</p> <p>The inventions claimed in the '106 Patent were conceived no earlier than [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]. Other evidence supporting the conception and reduction to practice of the inventions claimed in the '106 Patent include the documents identified in Section VIII.B below.</p>
12,174,107	1-30	The claimed inventions are described in provisional application 61/715,819, to which the '107 Patent claims priority.

²⁸ In the alternative, Beckman Coulter reserves the right to assert that the claims of the '106 Patent are, at minimum, entitled to a priority date of April 29, 2013 (the filing date of Provisional Application No. 61/816,819) or May 30, 2013 (the filing date of PCT/US2013/043453). The inventions of the Asserted Claims are also disclosed in Provisional Application 61/653,328, filed May 30, 2012, Provisional Application 61/653,245, filed May 30, 2012, Provisional Application No. 61/715,836, filed October 19, 2012, and Provisional Application 61/911,859, filed December 4, 2013.

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		<p>This provisional application has a filing date of October 18, 2012.²⁹</p> <p>The inventions claimed in the '107 Patent were conceived no earlier than [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]. Other evidence supporting the conception and reduction to practice of the inventions claimed in the '107 Patent include the documents identified in Section VIII.B below.</p>
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VII. DATE OF FIRST INFRINGEMENT AND DAMAGES PERIOD

Pursuant to Paragraph 3(h) of the Scheduling Order (D.I. 25), Plaintiff

hereby identifies the date of first infringement as:

Asserted Patent	Asserted Claims	Date of First Infringement
10,330,582	1-3, 5-12, 14-18, 20-23, 25-26	June 25, 2019

²⁹ In the alternative, Beckman Coulter reserves the right to assert that the claims of the '107 Patent are, at minimum, entitled to a priority date of April 29, 2013 (the filing date of Provisional Application No. 61/816,819) or May 30, 2013 (the filing date of PCT/US2013/043453). The inventions of the Asserted Claims are also disclosed in Provisional Application 61/653,328, filed May 30, 2012, Provisional Application 61/653,245, filed May 30, 2012, Provisional Application No. 61/715,836, filed October 19, 2012, and Provisional Application 61/911,859, filed December 4, 2013.

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11,703,443	1-20	July 18, 2023
12,174,106	1-6, 8-15, 17-20	December 24, 2024
12,174,107	1-30	December 24, 2024

Additionally, Plaintiff identifies the start of the claimed damages period as:

Asserted Patent	Asserted Claims	Start of Damages Period
10,330,582	1-3, 5-12, 14-18, 20-23, 25-26	June 25, 2019
11,703,443	1-20	July 18, 2023
12,174,106	1-6, 8-15, 17-20	December 24, 2024
12,174,107	1-30	December 24, 2024

Finally, Plaintiff identifies the end of the claimed damages period as:

Asserted Patent	Asserted Claims	End of Damages Period
10,330,582	1-3, 5-12, 14-18, 20-23, 25-26	May 30, 2033
11,703,443	1-20	May 30, 2033
12,174,106	1-6, 8-15, 17-20	May 30, 2033
12,174,107	1-30	May 30, 2033

VIII. Document Production

Pursuant to Paragraph 4 of the Scheduling Order (D.I. 25), Beckman Coulter concurrently produces the following categories of documents. Beckman Coulter has produced documents identified after a reasonably diligent search, which are identified in Sections VIII.A through VIII.J. Beckman Coulter reserves the right to produce additional documents identified during fact and expert discovery.

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To the extent Beckman Coulter identifies and produces additional relevant documents, Beckman Coulter reserves the right to rely on such documents, which are incorporated by reference herein. Further, topics set forth in Sections VIII.A to VIII.J call for expert opinion and are subject to expert analysis. Beckman Coulter therefore reserves the right to amend its identification of documents below in connection with expert discovery in this case, which documents are also incorporated by reference herein. The production of documents is not an admission that such documents are admissible or that Beckman Coulter has waived any objections regarding the admissibility of such documents.

A. Discussions, Disclosures, and Providing to Third Parties

Beckman Coulter concurrently produces documents sufficient to evidence each discussion with, disclosure to, or other manner of providing to a third party, or each sale of or offer to sell, or any public use of, the claimed inventions prior to the date of application for the Asserted Patents. Beckman Coulter's production of documents as required herein shall not constitute an admission that any such document evidences or is prior art under 35 U.S.C. § 102. *See, e.g.*, BEC-CYTEK-00006730; BEC-CYTEK-00006833; BEC-CYTEK-00006808; BEC-CYTEK-00006801; BEC-CYTEK-00006710; BEC-CYTEK-00033859; BEC-CYTEK-00033838; BEC-CYTEK-00033843; BEC-CYTEK-00033884; BEC-CYTEK-00033861; BEC-CYTEK-00037961; BEC-CYTEK-00037973; BEC-

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CYTEK-00037985; BEC-CYTEK-00039750; BEC-CYTEK-00040962; BEC-CYTEK-00039871; BEC-CYTEK-00034532; BEC-CYTEK-00036275; BEC-CYTEK-00009094; BEC-CYTEK-00035976; BEC-CYTEK-00036276; BEC-CYTEK-00036372; BEC-CYTEK-00006724; BEC-CYTEK-00006711; BEC-CYTEK-00006722; BEC-CYTEK-00006728; BEC-CYTEK-00006718; BEC-CYTEK-00040755; BEC-CYTEK-00040753; BEC-CYTEK-00006830; BEC-CYTEK-00006831; BEC-CYTEK-00009252; BEC-CYTEK-00006709; BEC-CYTEK-00010840; BEC-CYTEK-00006922; BEC-CYTEK-00010929; BEC-CYTEK-00009457; BEC-CYTEK-00009464; BEC-CYTEK-00040762; BEC-CYTEK-00009291; BEC-CYTEK-00009287; BEC-CYTEK-00009293; BEC-CYTEK-00009356; BEC-CYTEK-00009353; BEC-CYTEK-00066086; BEC-CYTEK-00009363; BEC-CYTEK-00009479; BEC-CYTEK-00009361; BEC-CYTEK-00009470; BEC-CYTEK-00009491; BEC-CYTEK-00009465; BEC-CYTEK-00040764; BEC-CYTEK-00040761; BEC-CYTEK-00009500; BEC-CYTEK-00009368; BEC-CYTEK-00009402; BEC-CYTEK-00009389; BEC-CYTEK-00009447; BEC-CYTEK-00009456; BEC-CYTEK-00040763; BEC-CYTEK-00040760; BEC-CYTEK-00009504; BEC-CYTEK-00009435; BEC-CYTEK-00009421; BEC-CYTEK-00009430; BEC-CYTEK-00009439; BEC-CYTEK-00009411; BEC-CYTEK-00009445; BEC-CYTEK-00009419; BEC-CYTEK-00009275; BEC-CYTEK-00040953; BEC-CYTEK-00040954; BEC-

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CYTEK-00040955; BEC-CYTEK-00040956; BEC-CYTEK-00040957; BEC-CYTEK-00040958; BEC-CYTEK-00040959; BEC-CYTEK-00040960; BEC-CYTEK-00040961; BEC-CYTEK-00040963; BEC-CYTEK-00040964; BEC-CYTEK-00040965; BEC-CYTEK-00040966; BEC-CYTEK-00040967; BEC-CYTEK-00040968; BEC-CYTEK-00040969; BEC-CYTEK-00040970; BEC-CYTEK-00040971; BEC-CYTEK-00040972; BEC-CYTEK-00040973; BEC-CYTEK-00040974; BEC-CYTEK-00040975; BEC-CYTEK-00040976; BEC-CYTEK-00040977; BEC-CYTEK-00040979; BEC-CYTEK-00040980; BEC-CYTEK-00040982; BEC-CYTEK-00040983; BEC-CYTEK-00040984; BEC-CYTEK-00040985; BEC-CYTEK-00040986; BEC-CYTEK-00040988; BEC-CYTEK-00040990; BEC-CYTEK-00040992; BEC-CYTEK-00040994; BEC-CYTEK-00040996; BEC-CYTEK-00040998; BEC-CYTEK-00041000; BEC-CYTEK-00041002; BEC-CYTEK-00041004; BEC-CYTEK-00041005; BEC-CYTEK-00041007; BEC-CYTEK-00041009; BEC-CYTEK-00041011; BEC-CYTEK-00041013; BEC-CYTEK-00041015; BEC-CYTEK-00041017; BEC-CYTEK-00041019; BEC-CYTEK-00041021; BEC-CYTEK-00041023; BEC-CYTEK-00041025; BEC-CYTEK-00041027; BEC-CYTEK-00041029; BEC-CYTEK-00041031; BEC-CYTEK-00041033; BEC-CYTEK-00041035; BEC-CYTEK-00041036; BEC-CYTEK-00041038; BEC-CYTEK-00041040; BEC-CYTEK-00041042; BEC-CYTEK-00041044; BEC-CYTEK-00041045; BEC-

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CYTEK-00041046; BEC-CYTEK-00041047; BEC-CYTEK-00041048; BEC-CYTEK-00041049; BEC-CYTEK-00041050; BEC-CYTEK-00041051; BEC-CYTEK-00041052; BEC-CYTEK-00041053; BEC-CYTEK-00041054; BEC-CYTEK-00033904; BEC-CYTEK-00033916; BEC-CYTEK-00033917; BEC-CYTEK-00034036; BEC-CYTEK-00034151; BEC-CYTEK-00034954; BEC-CYTEK-00035701; BEC-CYTEK-00035710; BEC-CYTEK-00035374; BEC-CYTEK-00034076; BEC-CYTEK-00034152; BEC-CYTEK-00035369; BEC-CYTEK-00034686; BEC-CYTEK-00034960; BEC-CYTEK-00034178; BEC-CYTEK-00035857; BEC-CYTEK-00034534; BEC-CYTEK-00034799; BEC-CYTEK-00034693; BEC-CYTEK-00034064; BEC-CYTEK-00035695; BEC-CYTEK-00035363; BEC-CYTEK-00034797; BEC-CYTEK-00034037; BEC-CYTEK-00034798; BEC-CYTEK-00034532; BEC-CYTEK-00034159; BEC-CYTEK-00034038; BEC-CYTEK-00035506; BEC-CYTEK-00035566; BEC-CYTEK-00035567; BEC-CYTEK-00035568; BEC-CYTEK-00034964; BEC-CYTEK-00034802; BEC-CYTEK-00041055; BEC-CYTEK-00035214; BEC-CYTEK-00035204; BEC-CYTEK-00035224; BEC-CYTEK-00035443; BEC-CYTEK-00035467; BEC-CYTEK-00034398; BEC-CYTEK-00035378; BEC-CYTEK-00035012; BEC-CYTEK-00034181; BEC-CYTEK-00034196; BEC-CYTEK-00034551; BEC-CYTEK-00034553; BEC-CYTEK-00034555; BEC-CYTEK-00034105; BEC-CYTEK-00034691; BEC-CYTEK-00034557; BEC-

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CYTEK-00034094; BEC-CYTEK-00035702; BEC-CYTEK-00035060; BEC-CYTEK-00035108; BEC-CYTEK-00034103; BEC-CYTEK-00035505; BEC-CYTEK-00034685; BEC-CYTEK-00034529; BEC-CYTEK-00034269; BEC-CYTEK-00035703; BEC-CYTEK-00035721; BEC-CYTEK-00034149; BEC-CYTEK-00035569; BEC-CYTEK-00035629; BEC-CYTEK-00035630; BEC-CYTEK-00035631; BEC-CYTEK-00035632; BEC-CYTEK-00035692; BEC-CYTEK-00035693; BEC-CYTEK-00035694; BEC-CYTEK-00034183; BEC-CYTEK-00034231; BEC-CYTEK-00034263; BEC-CYTEK-00034264; BEC-CYTEK-00034265; BEC-CYTEK-00034266; BEC-CYTEK-00034267; BEC-CYTEK-00034268; BEC-CYTEK-00035156; BEC-CYTEK-00034747; BEC-CYTEK-00034067; BEC-CYTEK-00034226; BEC-CYTEK-00034321; BEC-CYTEK-00034348; BEC-CYTEK-00034395; BEC-CYTEK-00034396; BEC-CYTEK-00034397; BEC-CYTEK-00034878; BEC-CYTEK-00034198; BEC-CYTEK-00034219; BEC-CYTEK-00034220; BEC-CYTEK-00034222; BEC-CYTEK-00034224; BEC-CYTEK-00034270; BEC-CYTEK-00034306; BEC-CYTEK-00034307; BEC-CYTEK-00034320; BEC-CYTEK-00034701; BEC-CYTEK-00034746; BEC-CYTEK-00034341; BEC-CYTEK-00034080; BEC-CYTEK-00034045; BEC-CYTEK-00034679; BEC-CYTEK-00034575; BEC-CYTEK-00034559; BEC-CYTEK-00034578; BEC-CYTEK-00034683; BEC-CYTEK-00034681; BEC-CYTEK-00035715; BEC-CYTEK-00035496; BEC-

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B. Conception and Reduction to Practice

Beckman Coulter concurrently produces documents evidencing the conception, reduction to practice, design, and development of each claimed inventions, [REDACTED]

[REDACTED]. *See, e.g.*, BEC-CYTEK-00041245; BEC-CYTEK-00041424; BEC-CYTEK-00006808; BEC-CYTEK-00041597; BEC-CYTEK-00041603; BEC-CYTEK-00041604; BEC-CYTEK-00041613; BEC-CYTEK-00041672; BEC-

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C. File Histories

Beckman Coulter has produced or concurrently produces a copy of the file history for each Asserted Patent. *See, e.g.*, BEC-CYTEK-00000001; BEC-CYTEK-00000740; BEC-CYTEK-00006087; BEC-CYTEK-00004404.

D. Patent Ownership

Beckman Coulter concurrently produces all documents evidencing ownership of the patent rights by Beckman Coulter. *See, e.g.*, BEC-CYTEK-00006724; BEC-CYTEK-00006711; BEC-CYTEK-00006722; BEC-CYTEK-00006728; BEC-CYTEK-00006718 ; BEC-CYTEK-00040755; BEC-CYTEK-00040753; BEC-CYTEK-00006730; BEC-CYTEK-00006833; BEC-CYTEK-00038730; BEC-CYTEK-00006808; BEC-CYTEK-00006801; BEC-CYTEK-00006831; BEC-CYTEK-00009252; BEC-CYTEK-00006710; BEC-CYTEK-00009230; BEC-CYTEK-00006709; BEC-CYTEK-00038722; BEC-CYTEK-00041561; BEC-CYTEK-00041564; BEC-CYTEK-00041572; BEC-CYTEK-00041575; BEC-CYTEK-00041578; BEC-CYTEK-00041581; BEC-CYTEK-00038733; BEC-CYTEK-00041584; BEC-CYTEK-00066206; BEC-CYTEK-00066214; BEC-CYTEK-00066222; BEC-CYTEK-00066230; BEC-CYTEK-

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E. Operation of Embodying Instrumentalities

Beckman Coulter concurrently produces documents sufficient to show the operation of any aspects or elements of each Embodying Instrumentality. *See, e.g.,* BEC-CYTEK-00001912 – BEC-CYTEK-00004403; BEC-CYTEK-00041085- BEC-CYTEK-00041244; BEC-CYTEK-00065378- BEC-CYTEK-00066061; BEC-CYTEK-00039870; BEC-CYTEK-00001944; BEC-CYTEK-00003429; BEC-CYTEK-00003430; BEC-CYTEK-00003431; BEC-CYTEK-00003432; BEC-CYTEK-00003433; BEC-CYTEK-00003434; BEC-CYTEK-00003435; BEC-CYTEK-00003436; BEC-CYTEK-00003437; BEC-CYTEK-00003452; BEC-CYTEK-00003503; BEC-CYTEK-00003504; BEC-CYTEK-00003506; BEC-CYTEK-00003624; BEC-CYTEK-00003886; BEC-CYTEK-00003887; BEC-CYTEK-00003931; BEC-CYTEK-00004306; BEC-CYTEK-00004307; BEC-CYTEK-00041179; BEC-CYTEK-00041194; BEC-CYTEK-00041215; BEC-CYTEK-00041216; BEC-CYTEK-00041231; BEC-CYTEK-00041240; BEC-CYTEK-00041536; BEC-CYTEK-00041241; BEC-CYTEK-00041242; BEC-CYTEK-00065715; BEC-CYTEK-00065716; BEC-CYTEK-00065086; BEC-CYTEK-00065087; BEC-CYTEK-00065118; BEC-CYTEK-00065128;

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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

BEC-CYTEK-00031864; BEC-CYTEK-00058149; BEC-CYTEK-00029507;
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BEC-CYTEK-00033827; BEC-CYTEK-00046364; BEC-CYTEK-00033786;
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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

BEC-CYTEK-00015403; BEC-CYTEK-00015908; BEC-CYTEK-00016527;
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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

BEC-CYTEK-00034181; BEC-CYTEK-00034196; BEC-CYTEK-00034226;
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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

BEC-CYTEK-00036229; BEC-CYTEK-00036230; BEC-CYTEK-00036231;
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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

BEC-CYTEK-00036719; BEC-CYTEK-00036723; BEC-CYTEK-00036729;
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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

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HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

00023595; BEC-CYTEK-00024074; BEC-CYTEK-00024561; BEC-CYTEK-00025048; BEC-CYTEK-00025555; BEC-CYTEK-00026090; BEC-CYTEK-00026643; BEC-CYTEK-00027200; BEC-CYTEK-00031115; BEC-CYTEK-00031396; BEC-CYTEK-00031857; BEC-CYTEK-00033820; BEC-CYTEK-00033831; BEC-CYTEK-00033861; BEC-CYTEK-00033884; BEC-CYTEK-00033904; BEC-CYTEK-00033917; BEC-CYTEK-00033942; BEC-CYTEK-00034105; BEC-CYTEK-00034159; BEC-CYTEK-00034183; BEC-CYTEK-00034198; BEC-CYTEK-00034219; BEC-CYTEK-00034220; BEC-CYTEK-00034222; BEC-CYTEK-00034224; BEC-CYTEK-00034231; BEC-CYTEK-00034270; BEC-CYTEK-00034307; BEC-CYTEK-00034348; BEC-CYTEK-00034398; BEC-CYTEK-00034429; BEC-CYTEK-00034578; BEC-CYTEK-00034619; BEC-CYTEK-00034701; BEC-CYTEK-00034747; BEC-CYTEK-00034802; BEC-CYTEK-00034878; BEC-CYTEK-00034964; BEC-CYTEK-00035012; BEC-CYTEK-00035060; BEC-CYTEK-00035108; BEC-CYTEK-00035156; BEC-CYTEK-00035214; BEC-CYTEK-00035290; BEC-CYTEK-00035506; BEC-CYTEK-00035569; BEC-CYTEK-00035632; BEC-CYTEK-00035721; BEC-CYTEK-00035789; BEC-CYTEK-00035873; BEC-CYTEK-00035874; BEC-CYTEK-00035875; BEC-CYTEK-00035876; BEC-CYTEK-00035877; BEC-CYTEK-00035878; BEC-CYTEK-00035879; BEC-CYTEK-00035880 ; BEC-CYTEK-00035881; BEC-CYTEK-00035882 ; BEC-CYTEK-

HIGHLY CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER

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00038381; BEC-CYTEK-00038428; BEC-CYTEK-00038469; BEC-CYTEK-00038707; BEC-CYTEK-00038709; BEC-CYTEK-00038710; BEC-CYTEK-00038721; BEC-CYTEK-00038782; BEC-CYTEK-00038890; BEC-CYTEK-00038908; BEC-CYTEK-00038955; BEC-CYTEK-00038996; BEC-CYTEK-00039007; BEC-CYTEK-00039008; BEC-CYTEK-00039246; BEC-CYTEK-00039248; BEC-CYTEK-00040188; BEC-CYTEK-00040205; BEC-CYTEK-00040224; BEC-CYTEK-00040978; BEC-CYTEK-00040981; BEC-CYTEK-00040987; BEC-CYTEK-00040989; BEC-CYTEK-00040991; BEC-CYTEK-00040993; BEC-CYTEK-00040995; BEC-CYTEK-00040997; BEC-CYTEK-00040999; BEC-CYTEK-00041001; BEC-CYTEK-00041003; BEC-CYTEK-00041006; BEC-CYTEK-00041008; BEC-CYTEK-00041010; BEC-CYTEK-00041012; BEC-CYTEK-00041014; BEC-CYTEK-00041016; BEC-CYTEK-00041018; BEC-CYTEK-00041020; BEC-CYTEK-00041022; BEC-CYTEK-00041024; BEC-CYTEK-00041026; BEC-CYTEK-00041028; BEC-CYTEK-00041030; BEC-CYTEK-00041032; BEC-CYTEK-00041034; BEC-CYTEK-00041037; BEC-CYTEK-00041039; BEC-CYTEK-00041041; BEC-CYTEK-00041043; BEC-CYTEK-00041463; BEC-CYTEK-00041483; BEC-CYTEK-00041514; BEC-CYTEK-00041542; BEC-CYTEK-00053968; BEC-CYTEK-00053971; BEC-CYTEK-00053976; BEC-CYTEK-00065095; BEC-CYTEK-00065103; BEC-CYTEK-00065118; BEC-CYTEK-00065129; BEC-CYTEK-

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00065166; BEC-CYTEK-00065183; BEC-CYTEK-00065193; BEC-CYTEK-00065221; BEC-CYTEK-00065231; BEC-CYTEK-00065258; BEC-CYTEK-00065266; BEC-CYTEK-00065275; BEC-CYTEK-00065284; BEC-CYTEK-00065293; BEC-CYTEK-00065315; BEC-CYTEK-00065329; BEC-CYTEK-00065330; BEC-CYTEK-00065331; BEC-CYTEK-00065332; BEC-CYTEK-00065333; BEC-CYTEK-00065334; BEC-CYTEK-00065349; BEC-CYTEK-00065366; BEC-CYTEK-00066776; BEC-CYTEK-00066779; BEC-CYTEK-00066781; BEC-CYTEK-00066784; BEC-CYTEK-00066785; BEC-CYTEK-00066786; BEC-CYTEK-00066787; BEC-CYTEK-00066806; BEC-CYTEK-00066872; BEC-CYTEK-00066897; BEC-CYTEK-00066898; BEC-CYTEK-00066929; BEC-CYTEK-00066975; BEC-CYTEK-00067021; BEC-CYTEK-00067058; BEC-CYTEK-00067070; BEC-CYTEK-00067071; BEC-CYTEK-00067073; BEC-CYTEK-00067075; BEC-CYTEK-00067077; BEC-CYTEK-00067079; BEC-CYTEK-00067081; BEC-CYTEK-00067082; BEC-CYTEK-00067083; BEC-CYTEK-00067084; BEC-CYTEK-00067085; BEC-CYTEK-00067086; BEC-CYTEK-00067087; BEC-CYTEK-00067088; BEC-CYTEK-00067089; BEC-CYTEK-00067091; BEC-CYTEK-00067092; BEC-CYTEK-00067093; BEC-CYTEK-00067094; BEC-CYTEK-00067095; BEC-CYTEK-00067096

F. Licenses Transferring Interest In Asserted Patents

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Beckman Coulter concurrently produces all agreements, including licenses, transferring any interest in any asserted patent. *See, e.g.*, BEC-CYTEK-00006724; BEC-CYTEK-00006711; BEC-CYTEK-00006722; BEC-CYTEK-00006728; BEC-CYTEK-00006718 ; BEC-CYTEK-00040755; BEC-CYTEK-00040753; BEC-CYTEK-00006730; BEC-CYTEK-00006833; BEC-CYTEK-00038730; BEC-CYTEK-00006808; BEC-CYTEK-00006801; BEC-CYTEK-00006831; BEC-CYTEK-00009252; BEC-CYTEK-00006710; BEC-CYTEK-00009230; BEC-CYTEK-00006709; BEC-CYTEK-00038722; BEC-CYTEK-00041561; BEC-CYTEK-00041564; BEC-CYTEK-00041572; BEC-CYTEK-00041575; BEC-CYTEK-00041578; BEC-CYTEK-00041581; BEC-CYTEK-00038733; BEC-CYTEK-00041584; BEC-CYTEK-00066206; BEC-CYTEK-00066214; BEC-CYTEK-00066222; BEC-CYTEK-00066230; BEC-CYTEK-00000001; BEC-CYTEK-00000740; BEC-CYTEK-00006087; BEC-CYTEK-00004404; BEC-CYTEK-00009252; BEC-CYTEK-00009230; BEC-CYTEK-00009271; BEC-CYTEK-00006922; BEC-CYTEK-00010929; BEC-CYTEK-00010840; *see also* Section D above.

G. Potentially Relevant Agreements

Beckman Coulter concurrently produces agreements potentially relevant to the hypothetical negotiation. *See, e.g.*, BEC-CYTEK-00041343; BEC-CYTEK-00041401; BEC-CYTEK-00066070; BEC-CYTEK-00066062; BEC-CYTEK-

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00041272; BEC-CYTEK-00041286; BEC-CYTEK-00041327; BEC-CYTEK-00041387; BEC-CYTEK-00066065; BEC-CYTEK-00006833; BEC-CYTEK-00010840; BEC-CYTEK-00006922; BEC-CYTEK-00010929.

H. Other Potentially Relevant Agreements And Documents

Beckman Coulter concurrently produces all other potentially relevant agreements as well as documents that otherwise may be used to support Beckman Coulter's damages case. *See, e.g.*, BEC-CYTEK-00009457; BEC-CYTEK-00009464; BEC-CYTEK-00040762; BEC-CYTEK-00009291; BEC-CYTEK-00009287; BEC-CYTEK-00009293; BEC-CYTEK-00009356; BEC-CYTEK-00009353; BEC-CYTEK-00066086; BEC-CYTEK-00009363; BEC-CYTEK-00009479; BEC-CYTEK-00009361; BEC-CYTEK-00009470; BEC-CYTEK-00009491; BEC-CYTEK-00009465; BEC-CYTEK-00040764; BEC-CYTEK-00040761; BEC-CYTEK-00009500; BEC-CYTEK-00009368; BEC-CYTEK-00009402; BEC-CYTEK-00009389; BEC-CYTEK-00009447; BEC-CYTEK-00009456; BEC-CYTEK-00040763; BEC-CYTEK-00040760; BEC-CYTEK-00009504; BEC-CYTEK-00009435; BEC-CYTEK-00009421; BEC-CYTEK-00009430; BEC-CYTEK-00009439; BEC-CYTEK-00009411; BEC-CYTEK-00009445; BEC-CYTEK-00009419; BEC-CYTEK-00009275; BEC-CYTEK-00033947; BEC-CYTEK-00040993; BEC-CYTEK-00040994; BEC-CYTEK-00040995; BEC-CYTEK-00040979; BEC-CYTEK-00041000; BEC-CYTEK-

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00041001; BEC-CYTEK-00041002; BEC-CYTEK-00041003; BEC-CYTEK-00041004; BEC-CYTEK-00041005; BEC-CYTEK-00041006; BEC-CYTEK-00041007; BEC-CYTEK-00041008; BEC-CYTEK-00041009; BEC-CYTEK-00041010; BEC-CYTEK-00041011; BEC-CYTEK-00041012; BEC-CYTEK-00041013; BEC-CYTEK-00041014; BEC-CYTEK-00041015; BEC-CYTEK-00041016; BEC-CYTEK-00041017; BEC-CYTEK-00041018; BEC-CYTEK-00041019; BEC-CYTEK-00041020; BEC-CYTEK-00041023; BEC-CYTEK-00041024; BEC-CYTEK-00040982; BEC-CYTEK-00041025; BEC-CYTEK-00041026; BEC-CYTEK-00041027; BEC-CYTEK-00041028; BEC-CYTEK-00041029; BEC-CYTEK-00041030; BEC-CYTEK-00041031; BEC-CYTEK-00041032; BEC-CYTEK-00041033; BEC-CYTEK-00041034; BEC-CYTEK-00041035; BEC-CYTEK-00041036; BEC-CYTEK-00041037; BEC-CYTEK-00041038; BEC-CYTEK-00041039; BEC-CYTEK-00041042; BEC-CYTEK-00041043; BEC-CYTEK-00041045; BEC-CYTEK-00041046; BEC-CYTEK-00041047; BEC-CYTEK-00041048; BEC-CYTEK-00041049; BEC-CYTEK-00041050; BEC-CYTEK-00040983; BEC-CYTEK-00041051; BEC-CYTEK-00041052; BEC-CYTEK-00041053; BEC-CYTEK-00040971; BEC-CYTEK-00040977; BEC-CYTEK-00040978; BEC-CYTEK-00040980; BEC-CYTEK-00040981; BEC-CYTEK-00041040; BEC-CYTEK-00041041; BEC-CYTEK-00040984; BEC-CYTEK-00041054; BEC-CYTEK-00040974; BEC-CYTEK-

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00040973; BEC-CYTEK-00040976; BEC-CYTEK-00040975; BEC-CYTEK-00040970; BEC-CYTEK-00040972; BEC-CYTEK-00041044; BEC-CYTEK-00041021; BEC-CYTEK-00041022; BEC-CYTEK-00040996; BEC-CYTEK-00040997; BEC-CYTEK-00040986; BEC-CYTEK-00040987; BEC-CYTEK-00040988; BEC-CYTEK-00040989; BEC-CYTEK-00040990; BEC-CYTEK-00040991; BEC-CYTEK-00040998; BEC-CYTEK-00040999; BEC-CYTEK-00033942; BEC-CYTEK-00040969; BEC-CYTEK-00040992; BEC-CYTEK-00040985.

I. Marking, Sales, Revenues, Costs, and Profits of Embodying Instrumentalities

Beckman Coulter concurrently produces documents sufficient to show marking of each Embodying Instrumentality, as well as the sales, revenues, costs, and profits of such Embodying Instrumentalities. *See, e.g.*, BEC-CYTEK-00066773 – BEC-CYTEK-00066783; BEC-CYTEK-00003429- BEC-CYTEK-00003437; BEC-CYTEK-00007020; BEC-CYTEK-00007734; BEC-CYTEK-00008550; BEC-CYTEK-00009534; BEC-CYTEK-00010248; BEC-CYTEK-00012822; BEC-CYTEK-00013409; BEC-CYTEK-00017988; BEC-CYTEK-00018718; BEC-CYTEK-00019456; BEC-CYTEK-00020252; BEC-CYTEK-00021068; BEC-CYTEK-00026650; BEC-CYTEK-00027207; BEC-CYTEK-00027799; BEC-CYTEK-00028391; BEC-CYTEK-00028889; BEC-CYTEK-00029507; BEC-CYTEK-00030133; BEC-CYTEK-00031864; BEC-CYTEK-

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00032480; BEC-CYTEK-00033088; BEC-CYTEK-00036662; BEC-CYTEK-00036663; BEC-CYTEK-00036664; BEC-CYTEK-00036665; BEC-CYTEK-00036666; BEC-CYTEK-00036667; BEC-CYTEK-00036668; BEC-CYTEK-00036669; BEC-CYTEK-00036670; BEC-CYTEK-00036671; BEC-CYTEK-00036672; BEC-CYTEK-00036673; BEC-CYTEK-00036674; BEC-CYTEK-00036675; BEC-CYTEK-00038090; BEC-CYTEK-00039249; BEC-CYTEK-00039251; BEC-CYTEK-00003433; BEC-CYTEK-00003434; BEC-CYTEK-00003435; BEC-CYTEK-00003430; BEC-CYTEK-00003431; BEC-CYTEK-00003432; BEC-CYTEK-00041451; BEC-CYTEK-00065084; BEC-CYTEK-00041462; BEC-CYTEK-00039871; BEC-CYTEK-00065377; BEC-CYTEK-00066788; BEC-CYTEK-00033917; BEC-CYTEK-00041458; BEC-CYTEK-00065083; BEC-CYTEK-00041463; BEC-CYTEK-00046325; BEC-CYTEK-00046359; BEC-CYTEK-00046369; BEC-CYTEK-00041509; BEC-CYTEK-00041587; BEC-CYTEK-00046342; BEC-CYTEK-00041511; BEC-CYTEK-00041589; BEC-CYTEK-00056430; BEC-CYTEK-00050823; BEC-CYTEK-00053980; BEC-CYTEK-00051374; BEC-CYTEK-00054478; BEC-CYTEK-00060703; BEC-CYTEK-00062003; BEC-CYTEK-00051966; BEC-CYTEK-00062733; BEC-CYTEK-00058149; BEC-CYTEK-00055096; BEC-CYTEK-00052558; BEC-CYTEK-00063471; BEC-CYTEK-00041512; BEC-CYTEK-00041590; BEC-CYTEK-00041215; BEC-CYTEK-00041240; BEC-CYTEK-

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00041513; BEC-CYTEK-00041591; BEC-CYTEK-00041216; BEC-CYTEK-00041241; BEC-CYTEK-00041539; BEC-CYTEK-00041596; BEC-CYTEK-00041231; BEC-CYTEK-00041242; BEC-CYTEK-00041463; BEC-CYTEK-00056438; BEC-CYTEK-00046364; BEC-CYTEK-00041483; BEC-CYTEK-00041510; BEC-CYTEK-00041588; BEC-CYTEK-00041482; BEC-CYTEK-00041194; BEC-CYTEK-00041479; BEC-CYTEK-00041179; BEC-CYTEK-00061284; BEC-CYTEK-00064267; BEC-CYTEK-00041535; BEC-CYTEK-00041592; BEC-CYTEK-00053254; BEC-CYTEK-00041514; BEC-CYTEK-00041540; BEC-CYTEK-00041685; BEC-CYTEK-00041541; BEC-CYTEK-00041542; BEC-CYTEK-00058765; BEC-CYTEK-00057451; BEC-CYTEK-00059373; BEC-CYTEK-00055722; BEC-CYTEK-00059739; BEC-CYTEK-00060159; BEC-CYTEK-00045453; BEC-CYTEK-00066704; BEC-CYTEK-00040953 –BEC-CYTEK-00040977; BEC-CYTEK-00040979; BEC-CYTEK-00040980; BEC-CYTEK-00040982; BEC-CYTEK-00040983; BEC-CYTEK-00040984; BEC-CYTEK-00040985; BEC-CYTEK-00040986; BEC-CYTEK-00040988; BEC-CYTEK-00040990; BEC-CYTEK-00040992; BEC-CYTEK-00040994; BEC-CYTEK-00040996; BEC-CYTEK-00040998; BEC-CYTEK-00041000; BEC-CYTEK-00041002; BEC-CYTEK-00041004; BEC-CYTEK-00041005; BEC-CYTEK-00041007; BEC-CYTEK-00041009; BEC-CYTEK-00041011; BEC-CYTEK-00041013; BEC-CYTEK-00041015; BEC-CYTEK-

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00041017; BEC-CYTEK-00041019; BEC-CYTEK-00041021; BEC-CYTEK-00041023; BEC-CYTEK-00041025; BEC-CYTEK-00041027; BEC-CYTEK-00041029; BEC-CYTEK-00041031; BEC-CYTEK-00041033; BEC-CYTEK-00041035; BEC-CYTEK-00041036; BEC-CYTEK-00041038; BEC-CYTEK-00041040; BEC-CYTEK-00041042; BEC-CYTEK-00041044; BEC-CYTEK-00041045; BEC-CYTEK-00041046; BEC-CYTEK-00041047; BEC-CYTEK-00041048; BEC-CYTEK-00041049; BEC-CYTEK-00041050; BEC-CYTEK-00041051; BEC-CYTEK-00041052; BEC-CYTEK-00041053; BEC-CYTEK-00041054; BEC-CYTEK-00040993; BEC-CYTEK-00040994; BEC-CYTEK-00040995; BEC-CYTEK-00040979; BEC-CYTEK-00041000; BEC-CYTEK-00041001; BEC-CYTEK-00041002; BEC-CYTEK-00041003; BEC-CYTEK-00041004; BEC-CYTEK-00041005; BEC-CYTEK-00041006; BEC-CYTEK-00041007; BEC-CYTEK-00041008; BEC-CYTEK-00041009; BEC-CYTEK-00041010; BEC-CYTEK-00041011; BEC-CYTEK-00041012; BEC-CYTEK-00041013; BEC-CYTEK-00041014; BEC-CYTEK-00041015; BEC-CYTEK-00041016; BEC-CYTEK-00041017; BEC-CYTEK-00041018; BEC-CYTEK-00041019; BEC-CYTEK-00041020; BEC-CYTEK-00041023; BEC-CYTEK-00041024; BEC-CYTEK-00040982; BEC-CYTEK-00041025; BEC-CYTEK-00041026; BEC-CYTEK-00041027; BEC-CYTEK-00041028; BEC-CYTEK-00041029; BEC-CYTEK-00041030; BEC-CYTEK-00041031; BEC-CYTEK-

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00041032; BEC-CYTEK-00041033; BEC-CYTEK-00041034; BEC-CYTEK-00041035; BEC-CYTEK-00041036; BEC-CYTEK-00041037; BEC-CYTEK-00041038; BEC-CYTEK-00041039; BEC-CYTEK-00041042; BEC-CYTEK-00041043; BEC-CYTEK-00041045; BEC-CYTEK-00041046; BEC-CYTEK-00041047; BEC-CYTEK-00041048; BEC-CYTEK-00041049; BEC-CYTEK-00041050; BEC-CYTEK-00040983; BEC-CYTEK-00041051; BEC-CYTEK-00041052; BEC-CYTEK-00041053; BEC-CYTEK-00040971; BEC-CYTEK-00040977; BEC-CYTEK-00040978; BEC-CYTEK-00040980; BEC-CYTEK-00040981; BEC-CYTEK-00041040; BEC-CYTEK-00041041; BEC-CYTEK-00040984; BEC-CYTEK-00041054; BEC-CYTEK-00040974; BEC-CYTEK-00040973; BEC-CYTEK-00040976; BEC-CYTEK-00040975; BEC-CYTEK-00040970; BEC-CYTEK-00040972; BEC-CYTEK-00041044; BEC-CYTEK-00041021; BEC-CYTEK-00041022; BEC-CYTEK-00040996; BEC-CYTEK-00040997; BEC-CYTEK-00040986; BEC-CYTEK-00040987; BEC-CYTEK-00040988; BEC-CYTEK-00040989; BEC-CYTEK-00040990; BEC-CYTEK-00040991; BEC-CYTEK-00040998; BEC-CYTEK-00040999; BEC-CYTEK-00033942; BEC-CYTEK-00040969; BEC-CYTEK-00033947.

J. F/RAND Commitment or Agreement

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Beckman Coulter is not presently aware of any documents comprising or reflecting a F/RAND commitment or agreement with respect to the Asserted Patents.

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Dated: February 14, 2025

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2025, true and correct copies of the foregoing document were served, via e-mail, on the following:

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