
From: Burrowbridge, Adam <aburrowbridge@wsgr.com>
Sent: Friday, May 8, 2020 7:33 PM
To: Moffett, Dan; Carsten, Douglas; Liston, Ian
Cc: WSGR - NanoCollect/Cytonome; NANOCELECT (AG TEAM); Smith, Rodger (External); Raucci, Anthony D.
Subject: Re: Cytonome v. NanoCollect | Construction of "Buffer"

****EXTERNAL Email****

Dan,

NanoCollect does not agree with Cytonome's proposed construction as it does not accurately reflect the relevant claims or specifications. As an alternative construction to the means-plus-function construction NanoCollect initially proposed, to which NanoCollect preserves all rights on appeal, and in accordance with Judge Andrews' order to meet and confer, NanoCollect proposes:

"buffer" means "a reservoir of compressible fluid, configured for absorbing the pressure pulse"

We are available to meet and confer Monday at 1pm ET, should Cytonome wish to discuss the proposed buffer constructions or the forthcoming submission to the Court.

Best,
Adam

From: "Moffett, Dan" <dmoftett@AkinGump.com>
Date: Wednesday, April 29, 2020 at 4:33 PM
To: "Carsten, Douglas" <dcarsten@wsgr.com>, "Burrowbridge, Adam" <aburrowbridge@wsgr.com>, "Liston, Ian" <iliston@wsgr.com>
Cc: WSGR - NanoCollect/Cytonome <nanocollect/cytonome@wsgr.com>, "NANOCELECT (AG TEAM)" <NANOCELECTAGTEAM@akingump.com>, "Smith, Rodger (External)" <rsmith@mnat.com>, "Raucci, Anthony D." <araucci@MNAT.com>
Subject: Cytonome v. NanoCollect | Construction of "Buffer"

[External]

Doug, Adam, and Ian,

During yesterday's hearing, Judge Andrews ordered Cytonome to submit a revised construction for "buffer" after first conferring with NanoCollect. Based on our review of the transcript from the hearing and the relevant patent specifications, we propose the following:

"buffer" means "a reservoir of fluid that absorbs a pressure pulse."

Please let us know if NanoCollect agrees with this construction or, if not, identify your specific objections as soon as possible.

Thank you,

Dan

Dan Moffett

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