



ORDERED that the Preliminary Injunction shall remain in full force and effect during the life of the subject patents or until further order of this Court; and it is further

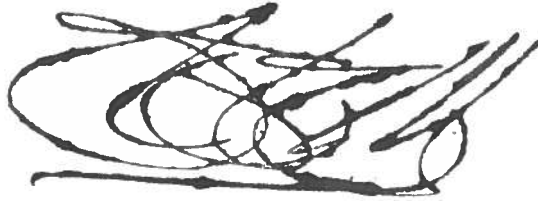
ORDERED that the following disputed claim terms of the patents identified in the accompanying Opinion shall be construed as follows:

1. “as effective as” is construed as “equal or greater lowering of IOP.”
2. “reduces the incidence of” is construed as “reduces the severity or rate of occurrence.”
3. “compared to the administration of” is construed in accordance with its plain and ordinary meaning, as construed by the court in the Eastern District of Texas litigations.
4. “wherein the method is as effective as the administration of 0.2% w/v brimonidine tartrate monotherapy three times per day” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
5. “wherein the method is as effective at reducing intraocular pressure as the administration of 0.2% w/v brimonidine tartrate monotherapy three times per day” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
6. “wherein the method reduces the incidence of one or more adverse events selected from the group consisting of conjunctival hyperemia, oral dryness, eye pruritis, allergic conjunctivitis, foreign body sensation, conjunctival folliculosis, and somnolence when compared to the administration of 0.2% w/v brimonidine tartrate monotherapy three times daily” is construed in accordance with its plain and ordinary meaning, and the term is limiting.

7. “wherein said method reduces the incidence of one or more adverse events, as compared to the administration of 0.2% w/v brimonidine tartrate monotherapy three times per day, wherein the adverse event is selected from the group consisting of conjunctival hyperemia, oral dryness, eye pruritus, allergic conjunctivitis, foreign body sensation, conjunctival folliculosis, and somnolence” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
8. “wherein the adverse event is conjunctival hyperemia” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
9. “wherein the adverse event is oral dryness” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
10. “wherein the adverse event is eye pruritus” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
11. “wherein the adverse event is allergic conjunctivitis” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
12. “wherein the adverse event is foreign body sensation” is construed in accordance with its plain and ordinary meaning, and the term is limiting.
13. “wherein the adverse event is conjunctival folliculosis” is construed in accordance with its plain and ordinary meaning, and the term is limiting.

14. “wherein the adverse event is somnolence” is construed in accordance with its plain and ordinary meaning, and the term is limiting.

DATE: 13 July 2018

A handwritten signature in black ink, appearing to read "William H. Walls". The signature is highly stylized and somewhat illegible due to its cursive and overlapping nature.

William H. Walls

Senior United States District Court Judge