

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

VECTURA LIMITED,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 16-638-RGA
	)	
GLAXOSMITHKLINE LLC and GLAXO	)	
GROUP LIMITED,	)	
	)	
Defendants.	)	

[PROPOSED] CLAIM CONSTRUCTION ORDER

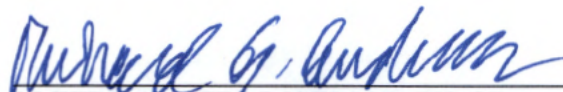
After having considered the parties' joint claim construction brief and having heard oral argument and expert testimony on the matter, IT IS HEREBY ORDERED that pursuant to and consistent with the Court's Memorandum Opinion issued on October 1, 2018 (D.I. 167), the following terms, as used in the claims of U.S. Patent Nos. 8,303,991 and 8,435,567, have the following meanings:

Claim Term	Construction
"composite active particle[s]" ¹	"[a] single particulate entit[y/ies] made up of a particle of active material to which one or more particles of additive material are fixed such that the active and additive particles do not separate in the airstream"
"each composite active particle comprising a particle of active material and particulate additive material on the surface of that particle of active material"	"where a composite active particle is a single particulate entity made up of a particle of active material to which one or more particles of additive material are fixed such that the active and additive particles do not separate in the airstream"

¹ The term "microparticle[s]," which appears only in the '567 patent, has the same meaning as the term "composite active particle[s]" in the context of the claims.

Claim Term	Construction
"wherein the additive material promotes the dispersion of the composite active particles upon actuation of a delivery device "	"wherein a composition that contains one or more composite active particles has increased dispersion of the active material upon activating a delivery device for inhalation into the lungs by a patient, as compared to the same composition wherein unmodified active particles are substituted for the composite active particles"
"suitable for promoting the dispersal of the active particles on actuation of an inhaler"	"suitable for increasing dispersal of an active material upon activating an inhaler, as compared to the same composition wherein unmodified active particles are substituted for the microparticles"
"suitable for delaying the dissolution of the active substance"	"suitable for delaying the dissolution of an active substance, as compared to the active substance without the hydrophobic material"

SO ORDERED this 10 day of October, 2018.


 UNITED STATES DISTRICT JUDGE