

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BAYER HEALTHCARE LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 16-1122 (RGA)
	)	
BAXALTA INCORPORATED, BAXALTA US INC., and NEKTAR THERAPEUTICS,	)	
	)	
Defendants.	)	

**PROPOSED CLAIM CONSTRUCTION ORDER**

After having considered the submissions of the parties and having heard oral argument on the matter, IT IS HEREBY ORDERED that the following terms, as used in the asserted claims of U.S. Patent No. 9,364,520, have the following meanings:

Claim Term	Construction
“an isolated polypeptide conjugate”	“a polypeptide conjugate where conjugation was not random”
“polyalkylene oxide”	“polymer with repeating alkylene oxide units, including polyethylene glycol polymer (PEG)”
“polyethylene glycol polymer”	“polymer with repeating ethylene oxide units, including branched, linear, forked, and multifunctional structures or geometries”
“covalently attached”	plain and ordinary meaning
“at the B-domain”	“attachment at the B-domain such that the resulting conjugate retains functional factor VIII activity”
“monopegylated polypeptide conjugate”	“a polypeptide with one polyethylene glycol polymer (PEG) attached”

SO ORDERED this 5 day of July, 2018.

  
UNITED STATES DISTRICT JUDGE