

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARCHERDX, LLC f/k/a ARCHERDX, INC.)
and THE GENERAL HOSPITAL)
CORPORATION d/b/a MASSACHUSETTS)
GENERAL HOSPITAL,)

Plaintiffs,)

v.)

C.A. No. 18-1019 (MN)

QIAGEN SCIENCES, LLC, QIAGEN LLC)
f/k/a QIAGEN, INC., QIAGEN BEVERLY,)
LLC f/k/a QIAGEN BEVERLY, INC.,)
QIAGEN GAITHERSBURG, INC., QIAGEN)
GMBH, QIAGEN N.V. and JONATHAN)
ARNOLD,)

Defendants.)

VERDICT FORM

INSTRUCTIONS

In answering the following questions and filling out this Verdict Form, you are to follow all of the instructions I have given you in the Court's charge. Your answer to each question must be **unanimous**. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

As used herein:

1. "The '810 patent" refers to U.S. Patent No. 10,017,810.
2. "The '597 patent" refers to U.S. Patent No. 10,450,957.
3. "Plaintiffs" refers to ArcherDX, LLC and Massachusetts General Hospital.
4. "QIAGEN" refers to QIAGEN Sciences, LLC, QIAGEN LLC, QIAGEN Beverly, LLC, QIAGEN Gaithersburg, LLC, QIAGEN GmbH, QIAGEN N.V.
5. "QIAGEN's RNA-related products" refers to QIAGEN's QIAseq Targeted RNAscan Panels, QIAseq Immune Repertoire RNA Library Kits, and GeneRead QIAact RNA.

3. **Have Plaintiffs proven by a preponderance of the evidence that QIAGEN contributed to the infringement of any of the following claims of the '810 Patent?**

For each asserted claim please check "Yes" or "No" below.

	YES (for Plaintiffs)	NO (for QIAGEN)
Claim 16	<u> X </u>	<u> </u>
Claim 17	<u> X </u>	<u> </u>
Claim 19	<u> X </u>	<u> </u>

B. The '597 Patent

4. **Have Plaintiffs proven by a preponderance of the evidence that QIAGEN directly infringed any of the following claims of the '597 Patent?**

For each asserted claim please check "Yes" or "No" below.

	YES (for Plaintiffs)	NO (for QIAGEN)
Claim 1	<u> X </u>	<u> </u>
Claim 5	<u> X </u>	<u> </u>
Claim 19	<u> X </u>	<u> </u>

5. Have Plaintiffs proven by a preponderance of the evidence that QIAGEN induced infringement of any of the following claims of the '597 Patent?

For each asserted claim please check "Yes" or "No" below.

	YES (for Plaintiffs)	NO (for QIAGEN)
Claim 1	<u> X </u>	<u> </u>
Claim 5	<u> X </u>	<u> </u>
Claim 19	<u> X </u>	<u> </u>

6. Have Plaintiffs proven by a preponderance of the evidence that QIAGEN contributed to the infringement of any of the following claims of the '597 Patent?

For each asserted claim please check "Yes" or "No" below.

	YES (for Plaintiffs)	NO (for QIAGEN)
Claim 1	<u> X </u>	<u> </u>
Claim 5	<u> X </u>	<u> </u>
Claim 19	<u> X </u>	<u> </u>

II. INVALIDITY

A. The '810 Patent

7. Has QIAGEN proven by clear and convincing evidence that any of the following claims of the '810 Patent are invalid for obviousness?

For each asserted claim please check "Yes" or "No" below.

	YES (for QIAGEN)	NO (for Plaintiffs)
Claim 16 _____		X
Claim 17 _____		X
Claim 19 _____		X

8. Has QIAGEN proven by clear and convincing evidence that any of the following claims of the '810 Patent are invalid for failure to satisfy the written description requirement?

For each asserted claim please check "Yes" or "No" below.

	YES (for QIAGEN)	NO (for Plaintiffs)
Claim 16 _____		X
Claim 17 _____		X
Claim 19 _____		X

9. Has QIAGEN proven by clear and convincing evidence that any of the following claims of the '810 Patent are invalid for indefiniteness?

For each asserted claim please check "Yes" or "No" below.

	YES (for QIAGEN)	NO (for Plaintiffs)
Claim 16	_____	_____ X _____
Claim 17	_____	_____ X _____
Claim 19	_____	_____ X _____

B. '597 Patent

10. Has QIAGEN proven by clear and convincing evidence that any of the following claims of the '597 Patent are invalid for anticipation?

For each asserted claim please check "Yes" or "No" below.

	YES (for QIAGEN)	NO (for Plaintiffs)
Claim 1	_____	_____ X _____
Claim 5	_____	_____ X _____
Claim 19	_____	_____ X _____

11. **Has QIAGEN proven by clear and convincing evidence that any of the following claims of the '597 Patent are invalid for failure to satisfy the written description requirement?**

For each asserted claim please check "Yes" or "No" below.

	YES (for QIAGEN)	NO (for Plaintiffs)
Claim 1	_____	_____ X _____
Claim 5	_____	_____ X _____
Claim 19	_____	_____ X _____

12. **Has QIAGEN proven by clear and convincing evidence that any of the following claims of the '597 Patent are invalid for indefiniteness?**

For each asserted claim please check "Yes" or "No" below.

	YES (for QIAGEN)	NO (for Plaintiffs)
Claim 1	_____	_____ X _____
Claim 5	_____	_____ X _____
Claim 19	_____	_____ X _____

III. PATENT INFRINGEMENT DAMAGES

Directions: If for any asserted claim(s) of the patents, you answered "Yes" as to any type of infringement and "No" as to invalidity for all questions that pertain to that particular asserted claim, please answer questions 13–15 below. Otherwise skip to the last page and sign the verdict form.

13. **If you determine that Plaintiffs are entitled to recover lost profits damages in connection with QIAGEN's RNA-related products in the United States, what is the amount of the lost profits damages?**

\$ \$ 841,756.00

14. **What amount in the form of a royalty are Plaintiffs entitled to recover for QIAGEN's sales of the Accused Products?**

Sales in the United States – \$ \$ 1,593,762.

Sales to Outside United States – \$ 2,240,303.00

IV. WILLFULNESS

15. **Have Plaintiffs proven by a preponderance of the evidence that QIAGEN willfully infringed any valid asserted claim?**

YES
(for Plaintiffs)

NO
(for QIAGEN)

X

UNANIMOUS VERDICT

UPON REACHING A UNANIMOUS VERDICT ON EACH QUESTION ABOVE,
EACH JUROR MUST SIGN BELOW.

We, the jury, unanimously agree to the answers to the above questions and return them
under the instructions of this Court as our verdict in this case.

This 27th day of August 2021.

REDACTED