

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN HUMAN MILK
OLIGOSACCHARIDES AND METHODS
OF PRODUCING THE SAME

Inv. No. 337-TA-1120

**ORDER NO. 35: GRANTING RESPONDENT JENNEWEIN BIOTECHNOLOGIE
GMBH'S MOTION TO ADMIT EXHIBITS INTO EVIDENCE.**


(May 23, 2019)

On May 21, 2019, and pursuant to Ground Rule 10.1.1, respondent Jennewein Biotechnologie GmbH (“Jennewein”) moved (1120-030) to admit a collection of exhibits, listed in an Exhibit A to the motion, into evidence after the evidentiary hearing. The motion explains “[d]ue to a technical difficulty, the Exhibits were inadvertently not served upon Ace Federal” but were successfully served upon complainant Glycosyn LLC (“Glycosyn”), the Commission Investigative Staff (“Staff”), and my attorney-advisor on the last day of the hearing, May 17, 2019. (Mot. at 1.) The motion describes the exhibits as having been admitted “through the direct testimony of Dr. Gregory Stephanopoulos, the cross examination of Dr. Kristala Prather, and deposition designations, which were not objected to by the parties.” (*Id.*) The motion represents “Glycosyn’s counsel and the Staff do not oppose the motion.” (*Id.*)

For good cause shown, and in the absence of any opposition, Jennewein’s motion (1120-030) is hereby granted. The exhibits listed in Attachment A to this order are received into

evidence. Jennewein shall be responsible for providing the court reporter with a copy of the list of admitted exhibits.

SO ORDERED.



Cameron Elliot
Administrative Law Judge

ATTACHMENT A

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before the Honorable Cameron Elliot
Administrative Law Judge

In the Matter of:

CERTAIN HUMAN MILK
OLIGOSACCHARIDES AND METHODS
OF PRODUCING THE SAME

Inv. No. 337-TA-1120

RESPONDENT'S ADMITTED EXHIBIT LIST
DIRECT EXAMINATION OF GREGORY STEPHANOPOULOS

Exhibit No.	Description	Received Into Evidence
CX-0014C	Samain patent application.msg - email from J. McCoy to G. Ruiz-Palacios 7/8/2008	
CX-0027C	Massimo Merighi's Lab Notebook MM02 (10/5/09 - 12/10/09)	
CX-0029C	Massimo Merighi's Lab Notebook MM04 (2/8/10 - 4/7/10)	
CX-0038C	Massimo Merighi's Lab Notebook MM25 (12/18/2014 - 4/1/15)	
CX-0053C	Glycosyn Lab Meeting lawyer data-complete slide set.pptx	
CX-0056C	Glycosyn Lab Meeting 12_08_16 John.pptx	
CX-0203C	Appendix C to Dr. Prather's Initial Expert Report - Germany Testing Data	
CX-0227C	Excerpts of Lab book Sami Derya 2018 [certified translation]	
CX-0240C	Jennewein - #1540 construction and characterization - confidential	
CX-0252C	E. coli BL21 (DE3) strain 1540_genome.fas	

CX-0253C	20180323 Description of strain 1540 concerning insertion of genes result __.docx (Stefan Jennewein Ex. 10)	
CX-0260C	R. Wheeler Notebook	
CX-0269C	Katja Parschat's Lab Book Part 1	
CX-0274C	Jennewein, Stefan Deposition Exhibit No. 23 - 20180918_KW38-18_Miller-assay_PF_2410.xlsx [certified translation]	
CX-0279C	Study 100126352_DRAFT Final Report_11152018_reviewed.docx	
CX-0283C	Miller_assay_1K_KW31+Ctrl.xlsx [certified translation]	
CX-0287C	Beta Galactosidase Activity_Miller Assay_Battelle_1540 derivative_v1.xlsx	
CX-0288C	Raw Data_1540	
CX-0289C	Raw Data_1540 Derivative	
CX-0293C	Battelle Laboratory Record Book No 55174	
CX-0294C	Beta Galactosidase Activity_Miller assay Battelle_1540_v2.xlsx	
CX-0297C	Annex4 Discription Jennewein GMO for application	
CX-0307C	Parschat, Katja Deposition Exhibit No. 2 - Detailed description of the construction of Jennwein's 2'-fucosyllactose production strain 1540	
CX-0328	Parschat, Katja Deposition Exhibit No. 21 - Drawing by Dr. Parschat	
CX-0334C	Parchat, Katja Deposition Exhibit No. 25 - background of lacZ minus strains - data.xlsx	
CX-0335C	Parchat, Katja Deposition Exhibit No. 26 - Background of lacZ minus strains - Conduction of the assays CW48.docx	
CX-0336C	Parchat, Katja Deposition Exhibit No. 27 - Lab book Katja Parschat.pdf	

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.