



Case No.: 3:16-cv-00536-MO

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Case Title: Agamatrix, Inc. v. Dexcom, Inc.

Presiding Judge: Hon. Michael W Mosman

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Reporter: None

Tape No:

DOCKET ENTRY:

Based on the briefings of the parties and oral argument during the Markman Hearing on February 10, 2017, the Court adopts the following claim construction:

DISPUTED CLAIM / TERM	ADOPTED CONSTRUCTION
“structurally flexible core” 202: 1-3, 5-6, 9-11 433: 1-3, 5-6, 8-11	a core of a sensor (or sensing element) made from a material such as nitinol or tantalum, that can be repeatedly flexed without breaking or fracturing when inserted in a patient for a period of several days
“surrounding, covering, and in contact with said outer surface of said core” 202: 1-3, 5-6, 9-11 433: 1-3, 5-6, 8-11	No construction needed.
“[further] surrounds, covers, and is in contact with said at least a first end of said core” 202: 11 433: 11	No construction needed.
“said outer surface of said core” 202: 1-3, 5-6, 9-11 433: 1-3, 5-6, 8-11	the cylindrical surface of the core

DISPUTED CLAIM / TERM	ADOPTED CONSTRUCTION
<p>“a first end of said core”</p> <p>202: 11 433: 11</p>	<p>the distal tip of the core</p>
<p>“Electrochemically Active Metal”</p> <p>202: 1-3, 5-6, 9-11 433: 1-3, 5-6, 8-11</p>	<p>an inert metal that allows current production from the reaction of certain chemicals</p>
<p>“electrochemically active metal prevents body fluid from contacting said core”</p> <p>433: 1-3, 5-6, 8-11</p>	<p>No construction needed.</p>
<p>“a membrane system comprising an enzyme”</p> <p>433: 1-3, 5-6, 8-11</p>	<p>one or more membranes, at least one of which includes an enzyme</p>
<p>“electrochemically active surface”</p> <p>574: 1, 4-6, 8-10, 15-17, 19</p>	<p>surface of an electrochemically active substance, such as platinum</p>
<p>“cavity along said electrochemically active surface and between said at least two nubs”</p> <p>574: 1, 4-6, 8</p>	<p>No construction needed.</p>
<p>“a sensing region along a portion of said electrochemically active surface”</p> <p>574: 9, 10, 15-17, 19</p>	<p>an area for sensing an analyte along a portion of said electrochemically active surface</p>
<p>“active sensing region”</p> <p>574: 9, 10, 15-17, 19</p>	<p>sensing area with an enzyme layer</p>
<p>“[nub] displaced longitudinally from said electrochemically active surface”</p> <p>574: 6, 17</p>	<p>No construction needed.</p>

DISPUTED CLAIM / TERM	ADOPTED CONSTRUCTION
“nubs” 574: 1, 4-6, 8-10, 15-17	protruding structures
“surrounding said at least two nubs and said electrochemically active surface at least along said cavity” 574: 1, 4-6, 8	No construction needed.
“said enzyme layer surrounding said sensing region of said electrochemically active surface to form an active sensing region and surrounding said plurality of nubs” 574: 9, 10, 15-17, 19	No construction needed.

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