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## NEWS RELEASE

# AbCellera Announces that the U.S. Patent Trial and Appeal Board Has Denied Berkeley Lights' Request for Rehearing

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PTAB rejects request by Berkeley Lights to reconsider its decision denying Berkeley's argument that AbCellera's U.S. patent is invalid

VANCOUVER, British Columbia--(BUSINESS WIRE)-- **AbCellera** (Nasdaq: ABCL) announced that the United States Patent and Trademark Office's (USPTO) Patent Trial and Appeal Board (PTAB) has denied a rehearing request in an Inter Partes Review (IPR) filed by Berkeley Lights, Inc. (Berkeley Lights) that challenged AbCellera's U.S. Patent No. 10,087,408 (the '408 Patent). AbCellera's '408 Patent is directed to microfluidic devices and using such devices to culture cells, monitor a response, and recover selected cells, an important part of AbCellera's end-to-end monoclonal antibody development engine.

The IPR proceeding stems from **AbCellera and the University of British Columbia (UBC) suing Berkeley Lights** for patent infringement, which is currently pending in the United States District Court for the Northern District of California. In response to AbCellera's infringement claims, Berkeley Lights filed three separate petitions with the PTAB seeking to invalidate multiple patents. The PTAB previously rejected two of Berkeley Lights' petitions, disagreeing that certain challenged claims were invalid. Berkeley Lights challenged the claims of the '408 Patent alleging invalidity based on anticipation and obviousness over the prior art. In a written unanimous decision, the PTAB rejected all of Berkeley Lights' arguments and confirmed that all claims of AbCellera's '408 Patent are valid. Thereafter, Berkeley Lights sought rehearing and the PTAB again rejected Berkeley Lights' claims.

"The PTAB's decision denying Berkeley Lights' rehearing request fortifies the strength of our microfluidic cell-

culture-system patent claims,” said Tryn Stimart, J.D., Chief Legal and Compliance Officer of AbCellera. “AbCellera is committed to protecting its intellectual property portfolio. We look forward to the District Court resuming our patent infringement cases against Berkeley Lights.”

## About AbCellera Biologics Inc.

AbCellera is breaking the barriers of conventional antibody drug discovery to bring better medicines to patients, sooner. AbCellera’s engine integrates expert teams, technology, and facilities with the data science and automation needed to propel antibody-based medicines from target to clinic in nearly every therapeutic area with precision and speed. AbCellera provides innovative biotech and leading pharmaceutical companies with a competitive advantage that empowers them to move quickly, reduce cost, and tackle the toughest problems in drug development. For more information, please visit [www.abcellera.com](http://www.abcellera.com).

## AbCellera Forward-Looking Statements

This press release contains forward-looking statements, including statements made pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. The forward-looking statements are based on management’s current beliefs and assumptions and on information currently available to management. All statements contained in this release other than statements of historical fact are forward-looking statements, including statements regarding our ability to develop, commercialize and achieve market acceptance of our current and planned products and services, our research and development efforts, and other matters regarding our business strategies, use of capital, results of operations and financial position, and plans and objectives for future operations.

In some cases, you can identify forward-looking statements by the words “may,” “will,” “could,” “would,” “should,” “expect,” “intend,” “plan,” “anticipate,” “believe,” “estimate,” “predict,” “project,” “potential,” “continue,” “ongoing” or the negative of these terms or other comparable terminology, although not all forward-looking statements contain these words. These statements involve risks, uncertainties and other factors that may cause actual results, levels of activity, performance, or achievements to be materially different from the information expressed or implied by these forward-looking statements. These risks, uncertainties and other factors are described under “Risk Factors,” “Management’s Discussion and Analysis of Financial Condition and Results of Operations” and elsewhere in the documents we file with the Securities and Exchange Commission from time to time. We caution you that forward-looking statements are based on a combination of facts and factors currently known by us and our projections of the future, about which we cannot be certain. As a result, the forward-looking statements may not prove to be accurate. The forward-looking statements in this press release represent our views as of the date hereof. We undertake no obligation to update any forward-looking statements for any reason, except as required by law.

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