

SCIENTIFIC EXPERTISE, TESTING AND TESTIMONY FOR LITIGATION

Since 1959, our scientific expertise, testing and testimony has supported legal strategies for intellectual property, product liability and insurance cases. Clients turn to Eurofins EAG Laboratories for dependable scientific answers to legal challenges.

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EAG
Laboratories

HOW WE WORK WITH YOU

From first call to final results, Eurofins EAG Laboratories focuses on your concerns. Scientific excellence is a given. We pride ourselves on **strict confidentiality** and **outstanding communication** for your project.

BEFORE YOUR PROJECT BEGINS:

- **Conflict Check:** Business Conflict // Legal Conflict
- **Technical discussions:** Identify Objectives // Involve Experts // Determine Scope and Experimental Design
- **Proposal:** Scope of Work // Deliverables // Turnaround Time // Costs

AFTER YOUR PROJECT BEGINS:

- **Scientific Expertise:** Dedicated Lead Scientist // 100+ Analytical Techniques
- **Samples:** Chain of Custody and Photographs // Establish Protocols // Secured Storage and Handling
- **Analysis:** Scientific Expertise // Technical Skills // State-of-the-Art Instrumentation
- **Results:** Robust Data // Clear Interpretation and Review // Deposition and Trial Preparation // Experienced Expert Witness Testimony and Depositions

SCIENTIFIC EXPERTISE FOR LEGAL CHALLENGES



Technology and Energy Litigation



ANDA/Hatch-Waxman Pharmaceutical Investigations



Product Formula and Liability



Small Molecule Synthesis



Surface and Chemical Analysis



Patent Infringement



Toxicological Evaluations



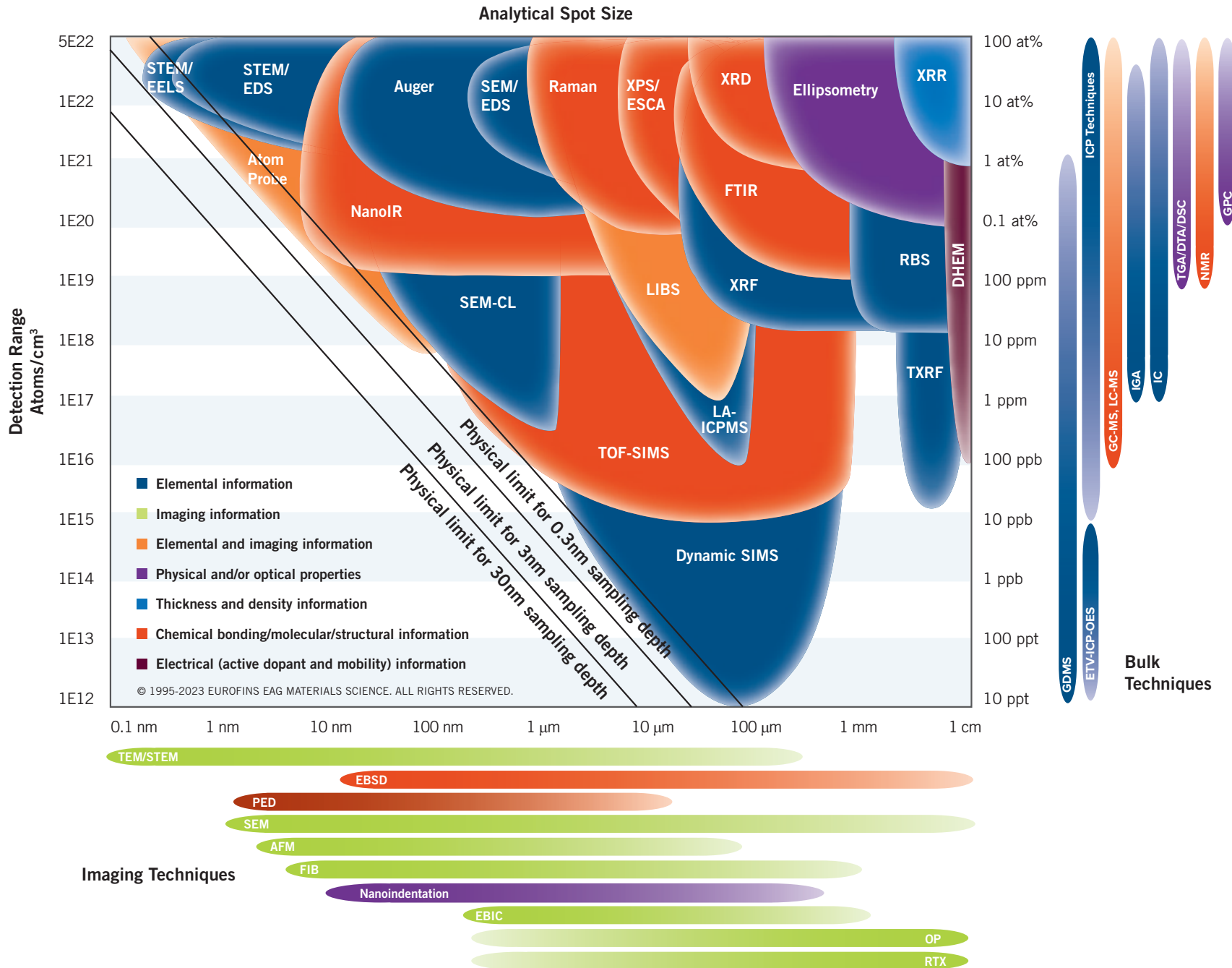
Root Cause and Failure Analysis



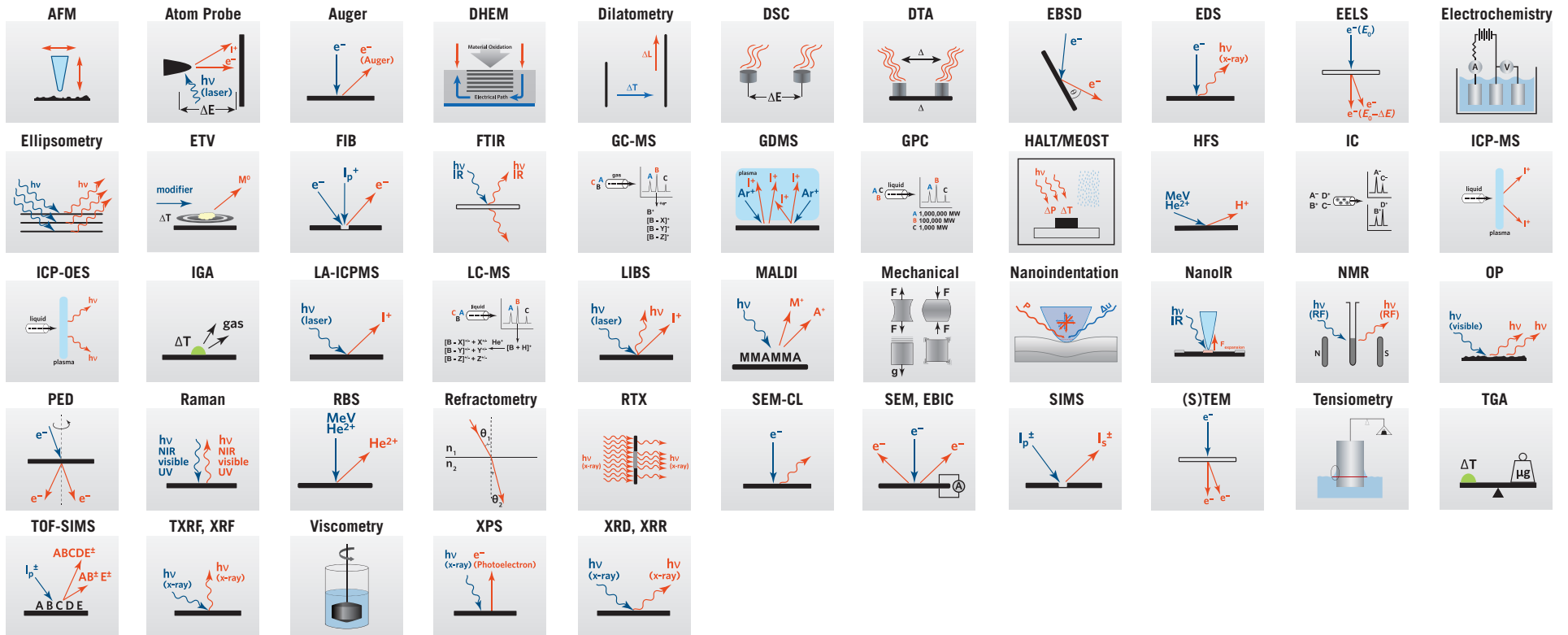
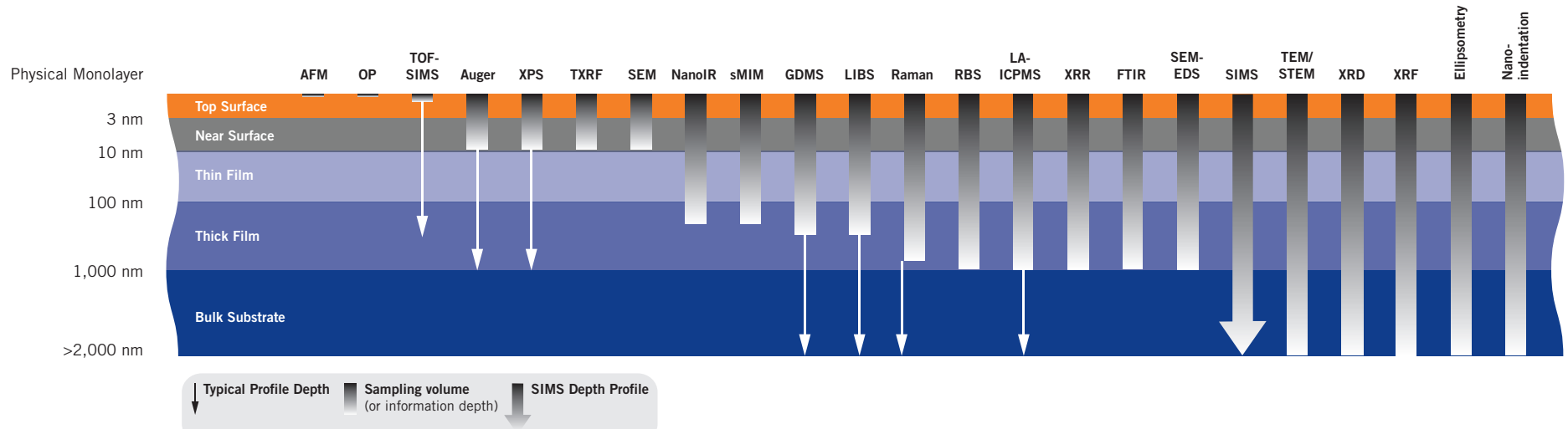
Intellectual Property

65+ Years of Scientific Excellence 20+ Global Locations
1000+ Highly Educated Scientists 100+ Analytical Techniques

SCIENTIFIC TECHNIQUES: ANALYTICAL RESOLUTION VS. DETECTION LIMIT



SCIENTIFIC TECHNIQUES: TYPICAL ANALYSIS DEPTH



CASE STUDIES

PATENT PROSECUTION: DEFORMULATION

Interested in patenting their product and determining the breadth of patent coverage, a client requested a deformulation, but did not provide Eurofins EAG with any information about the product's formula. Their goal was to determine how closely a competitor could copy or modify their product without infringing on the patent. Through the use of multiple analytical techniques, we were able to identify all components and concentrations. With this fundamental information in hand, EAG was able to advise the client about specific ways that they could broaden their patent claims, giving them more coverage and improved defensibility, prior to the release of their product.

PATENT PROSECUTION: OLED DISPLAYS

A company's patents covered the composition and use of organic dyes in organic light emitting diode (OLED) displays. They had reason to believe competition was infringing on their patents. We disassembled cell phones to expose organic layers of OLED which were tested and characterized by SEM-EDX, photo-luminescence and TOF-SIMS depth profiles. The organic electroluminescent layer was extracted with solvent and screened by LCMS to identify the organic dyes. The dyes were then isolated utilizing semi-preparative HPLC. The pure materials were further characterized with NMR and high-resolution LCMS. Reference standards (some synthesized in our lab) were compared. The elution time, mass spectra, MSMS fragmentation, UV absorption, and 1H NMR spectra of the dyes matched the synthesized standards proving the patent was infringed.

INTELLECTUAL PROPERTY DISPUTE: PATENT INFRINGEMENT

Complainant held several patents on rare earth magnets and sought relief from the ITC by banning the import of consumer items containing magnets that infringed on their patents. EAG obtained consumer goods that included ear buds, speakers, power tools, disk drives, and sports equipment. Sample preparation required dismantling the products to access the magnets. Tests performed included GDMS, ICP-MS, IGA, XRD, XRF, various magnetic properties and Metallography. Data showed the vast majority of the products infringed upon the Complainant's patents. The day before our Experts were scheduled to testify, the Respondents agreed to a favourable settlement.

INTELLECTUAL PROPERTY DISPUTE: ANDA HATCH WAXMAN

A generic pharmaceutical company was sued by the innovator alleging infringement on a patent for an API whose synthesis and use patent was about to expire. EAG performed the synthesis as taught in the patent. Upon characterizing the product, it was clear it was not pure but a mixture of isomers. The minor isomer was not disclosed in the patent and the question was raised, if the minor isomer was carried through the process patent procedure, will it form the API? We arrived at 'yes' by performing the synthesis, repeating each step with the isomer. Each reaction was tested with proton NMR, LCMS and XRD. Results were defended by our scientists at deposition. The case did not go to trial and the defendant collected an eight-figure settlement.



YOUR CONCERN, OUR FOCUS

Clients turn to Eurofins EAG Laboratories for dependable scientific answers to legal challenges. We offer investigative analytical chemistry for cases involving intellectual property, product liability, insurance defense, and more.

Our powerful scientific teams provide understanding of the unique physico-chemical properties of a product, including the processes by which it is synthesized or manufactured. Common investigative techniques include:

- Deformulation (reverse engineering)
- Material identification and characterization
- Verification of chemical structures and characteristics
- Verification of the presences or absence of a material
- Reproduction of synthetic or manufacturing processes
- Product performance comparisons

Eurofins EAG has a strong reputation for analytical integrity. Our litigation support services include laboratory testing, interpretation of technical data, critical review of opposing data, expert opinions, and deposition/trial testimony.

OUR COMMITMENT

There is only one concern — yours. Your concern becomes our focus, for reliable scientific answers to difficult legal questions. Our quick response, creative thinking, innovative approaches, candor and humility are all custom-designed to serve our most important client — you.

Contact us today.

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