



NEWS RELEASE

## European Unified Patent Court Rules in Favor of Bruker and NanoString, Invalidating Patent Asserted By 10x Genomics against NanoString's CosMx SMI Products

2024-10-17

BILLERCA, Mass.--(BUSINESS WIRE)-- **Bruker Corporation** (Nasdaq: BRKR) today announced that the European Unified Patent Court (UPC) has ruled in favor of its NanoString business, invalidating European Patent No. 2794928B1 (the "928 Patent"), which has been asserted by 10x Genomics against NanoString's CosMx® Spatial Molecular Imager (SMI) products in Europe. Today's ruling follows the May 2024 decision of the German Federal Patent Court, which declared the 928 Patent invalid and revoked the patent in Germany. An appeal is pending in that case. Today's decision of the UPC expands on that German invalidity ruling to further invalidate the 928 Patent in France and The Netherlands. The ruling of the UPC is subject to appeal.

"We appreciate the thorough analysis of this patent by the UPC. Today's ruling marks the third decision of three separate courts in less than a year vindicating our view that the patents being asserted against us by 10x are invalid," said Todd Garland, President of the Bruker Spatial Biology division. "The UPC's decision supports our belief that 10x's claims are meritless and that 10x's litigation tactics run counter to the interests of the scientific research community. Bruker will build on this legal victory and continue to defend the freedom of scientists to have choices for the best spatial biology solutions for their research."

In February 2024, the UPC Court of Appeal issued an order based on European Patent 4108782B1 (the "782 Patent"), a second patent being asserted by 10x that is closely related to the 928 Patent. In that order, the Court held that "it is more likely than not that the patent at issue will prove to be invalid," citing concerns about the obviousness of the patent claims based on the prior art. With today's UPC ruling invalidating the 928 Patent, Bruker now awaits an additional hearing before the UPC on the 782 Patent and expects that patent to be declared invalid as well. No date has yet been set for that hearing. In parallel European Patent Office (EPO) opposition proceedings,

the EPO has already issued a preliminary non-binding opinion in which the 782 Patent as granted is considered to be invalid. A hearing before the EPO is scheduled for March 18, 2025.

## About Bruker Corporation – Leader of the Post-Genomic Era (Nasdaq: BRKR)

Bruker (Nasdaq: BRKR) is at the forefront of the post-genomic era, helping scientists and engineers make groundbreaking discoveries that enhance human life. Our high-performance instruments and analytical solutions enable the exploration of life and materials at the molecular, cellular, and microscopic levels. Working closely with customers, we drive innovation, boost productivity, and support success in life sciences, biopharma, microscopy, nanoanalysis, industrial research, and next-gen semiconductor metrology for AI. Bruker provides highly differentiated, cutting-edge systems for preclinical imaging, clinical phenomics, proteomics, multiomics, spatial and single-cell biology, functional structural biology, clinical microbiology, and molecular diagnostics. For more information, please visit [www.bruker.com](http://www.bruker.com).

## Cautionary Statement Regarding Forward-Looking Statements

This communication contains "forward-looking statements." All statements, other than statements of historical facts, including statements concerning ongoing litigation and appeals; Bruker's plans, objectives, goals, beliefs, strategy and strategic objectives, future events, business conditions, results of operations, financial position, business outlook, business trends and other information, may be forward-looking statements. Forward-looking statements generally can be identified by the use of forward-looking terminology such as "anticipate," "believe," "contemplate," "continue," "could," "estimate," "expect," "goal," "intend," "may," "plan," "potential," "predict," "project," "seek," "should," "strategy," "target," or "will" or the negatives of these terms or variations of them or similar terminology. Readers are cautioned that any such forward-looking statements are not guarantees of future performance and involve risks and uncertainties and are cautioned not to place undue reliance on these forward-looking statements. Actual results may differ materially from those currently anticipated due to a number of risks and uncertainties. Risks and uncertainties include, but are not limited to, expectations regarding litigation outcomes and remedies, the ultimate disposition of the pending litigation, and the impact of the pending litigation on our business and our operations and business outlook. For further discussion of these and other risks and uncertainties, see Bruker's most recent Form 10-K and Form 10-Q filings with the SEC. Except as required by law, Bruker does not undertake any duty to update forward-looking statements to reflect events after the date of this press release.

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Source: Bruker Corporation