

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

In the Matter of

**CERTAIN SYSTEMS, DEVICES,
SOFTWARE, COMPOSITIONS,
CHEMICALS, AND LABORATORY
SUPPLIES FOR STUDYING PROTEINS**

Investigation No. _____

**VERIFIED COMPLAINT OF SEER, INC. AND THE BRIGHAM AND WOMEN'S
HOSPITAL, INC. UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS
AMENDED**

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I. INTRODUCTION

1. Seer, Inc. (“Seer”) and The Brigham and Women’s Hospital, Inc. (“BWH”) (collectively, “Complainants”) request that the United States International Trade Commission (“Commission”) institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, to remedy the unlawful importation, sale for importation, and/or sale after importation by the Proposed Respondent of certain proteome analysis systems, assay kits, and components thereof (the “Accused Products”). The Accused Products infringe, either literally or under the doctrine of equivalents, directly and/or indirectly, certain claims of U.S. Patent Nos. 11,435,360 (the “’360 Patent”), 11,630,112 (the “’112 Patent”), 12,050,222 (the “’222 Patent”), 12,228,566 (the “’566 Patent”), and 12,590,948 (the “’948 Patent”) (collectively, the “Asserted Patents”). *See* Exs. 1-5.

2. BWH is the owner by assignment of the ’360 and ’566 Patents (collectively, the “BWH Asserted Patents”).

3. Seer is the exclusive licensee of the BWH Asserted Patents. Seer is the owner by assignment of all right, title, and interest in the ’112, ’222, and ’948 Patents.

4. The proposed Respondent is Nanomics Biotechnology Co., Ltd., also known as Nanomics Biotech, located in Hangzhou, Zhejiang, China (“Nanomics” or “Proposed Respondent”).

5. The Accused Products infringe at least the following claims of the Asserted Patents in violation of 19 U.S.C. § 337(a)(1)(B)(i) and 35 U.S.C. § 271(a)-(c), either literally or under the doctrine of equivalents:

Asserted Patent	Asserted Independent Claims	Asserted Dependent Claims
11,435,360	-	2-3, 5, 7-13, 15-16, 23-24, 26-27
11,630,112	1	2-8, 12-19, 21

12,050,222	16	-
12,228,566	1	2-10, 19-20
12,590,948	1-2	-

Table 1. The Asserted Claims

6. On information and belief, and as set forth in this Complaint, the Proposed Respondent unlawfully imports into the United States, sells for importation into the United States, and/or sells in the United States after importation of one or more Accused Products that infringe one or more of the Asserted Patents, either literally or under the doctrine of equivalents.

7. A domestic industry exists under 19 U.S.C. § 1337(a)(2) and (3) as the result of Seer's activities and investments in the United States relating to products that practice the Asserted Patents. These activities include Seer's past and continuing substantial investments in plant, equipment, labor, and capital devoted to Seer's proteome analysis systems and assay kits that practice one or more claims of the Asserted Patents.

8. Complainants seek, as relief for the unfair acts of the Proposed Respondent, the following relief from the Commission: (i) an investigation into the Proposed Respondent's violations; (ii) a public hearing; (iii) a limited exclusion order barring from entry into the United States the Accused Products manufactured by or on behalf of, or imported by or on behalf of, the Proposed Respondent that infringe one or more of the Asserted Patents; (iv) a cease and desist order prohibiting the sale for importation, importation, sale after importation, distribution, offering for sale, promoting, marketing, advertising, testing, demonstrating, warehousing inventory for distribution, solicitation of sales, programming, repairing, maintaining, using, transferring, and other commercial activity relating to the Accused Products; (v) the imposition of a bond on importation and sales of Accused Products during the Presidential Review Period pursuant to 19 U.S.C. § 1337(j); and (vi) such other relief as the Commission deems appropriate.

II. THE PARTIES

A. Complainants

9. Complainant Seer, Inc. is a Delaware corporation with its principal place of business at 3800 Bridge Parkway, Suite 102, Redwood City, California 94065. Seer is the owner by assignment of all right, title, and interest in the '112, '222, and '948 Patents. Seer is the exclusive licensee of the BWH Asserted Patents. Ex. 34C.

10. Complainant The Brigham and Women's Hospital, Inc. is a not-for-profit Massachusetts corporation, with a principal place of business at 75 Francis Street, Boston Massachusetts 02115. BWH is the owner by assignment of the BWH Patents.

11. Founded in 2017, Seer's mission is to imagine and pioneer new ways of decoding the body's proteome—the complete set of proteins in an organism at a given time—to improve human health. Before founding Seer, Dr. Omid Farokhzad set out on this mission while completing his residency at BWH, the teaching hospital affiliated with Harvard Medical School. He sought to address obstacles to the reliable detection by mass spectrometry of proteins present in extremely low concentrations in biological samples (*e.g.*, blood plasma) which would otherwise be masked by high-abundance proteins in the sample. Dr. Farokhzad's research, which was built upon at Seer, culminated in Seer's Proteograph® Product Suite, which provides researchers with highly reproducible, unbiased, deep, rapid, and scalable access to the body's proteome, enabling biological discovery that has historically been impossible. With its pioneering nanoparticle technology and the Proteograph® Product Suite to employ it, Seer provides the most complete, precise, and scalable platform for deep, unbiased mass spectrometry-based proteome analysis to power population-scale studies and data-driven biology. Using Seer's and BWH's inventions claimed in the Asserted Patents, Seer's platform enables researchers and practitioners to discover and detect the biomolecule fingerprints of

countless debilitating diseases, supporting advances in the monitoring and treatment of those diseases.

12. Seer has made significant and substantial investments in the United States related to the development, testing, support, and manufacture of its Proteograph® Product Suite, including its assay kits and automated systems that embody and practice the innovations of the Asserted Patents. These expenditures and efforts demonstrate Seer's commitment to bringing state-of-the-art proteome analysis technology and solutions to U.S. customers and businesses. Moreover, Seer maintains its corporate headquarters in the United States, in Redwood City, California, and performs substantially all manufacturing and assembly of the Proteograph® Product Suite in the United States.

13. As a domestic developer and manufacturer, Seer and its domestic industry represent precisely what the Tariff Act was designed to protect. Seer's continued domestic success depends in substantial part on its ability to protect its proprietary technology through, *inter alia*, enforcement of its patent rights.

B. Proposed Respondent

14. Proposed Respondent Nanomics Biotechnology Co., Ltd. is a Chinese company with its principal place of business at 5th Floor, Building 6, 400 Fucheng Road, Hangzhou, Zhejiang, China 310018.

15. On information and belief, in addition to its principal place of business in China, Nanomics also operates an office in 1724 E 54th St., Chicago, Illinois 60615, where one of its directors is based.

16. On information and belief, Nanomics imports into the United States, sells for importation, and/or sells within the United States after importation products that infringe the Asserted Patents, including certain systems, devices, software, compositions, chemicals, and

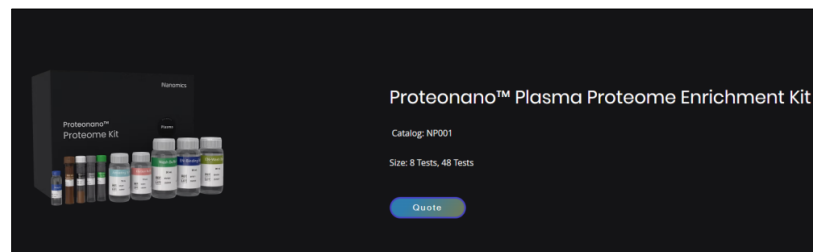
laboratory supplies for studying proteins. *See* Exhibit 11-15 (Claim Charts); 16 (Nanomics Website); 17 (Importation Declaration). For example, Nanomics' Proteonano™ Ultrplex Proteomics Platform ("PUP Platform"), including its workstations and/or assay kits, embodies patented inventions of the Asserted Patents. As explained on Nanomics' website and in documents describing Nanomics' system, Nanomics' PUP Platform "consists of the Proteonano Kit, Nanomics G1 Workstation, and AI-powered proteomics analysis software, specifically addressing the bottlenecks in detecting low-abundance proteins in mass-spectrometry-based proteomics." The Accused Products include Nanomics' automated workstations for proteomics and associated software, including but not limited to the G1 Basic Workstation, the G1 Pro Workstation, the EV Purification Workstation, and the Protein Purification Workstation (collectively, "Proteonano™ Workstations"), as well as Nanomics' assay kits for proteomics, including but not limited to the Proteonano™ SP3 Proteome Extract Kit, the Proteonano™ Plasma Proteome Enrichment Kit, the Proteonano™ EV Proteome Enrichment Kit, the Proteonano™ Mouse Plasma Proteome Enrichment Kit, the Proteonano™ CSF Proteome Enrichment Kit, the Proteonano™ Urine Proteome Enrichment Kit, the Proteonano™ Saliva Proteome Enrichment Kit, and the Proteonano™ HT Assay (collectively, "Nanomics' Assay Kits").

17. On information and belief, Nanomics also indirectly infringes the Asserted Patents, with knowledge, or being willfully blind that its actions constitute infringement, by specifically intending to induce its customers, distributors, and/or end users to directly infringe the Asserted Patents, either individually or jointly with Nanomics. Nanomics is engaged in the instruction or encouragement of others, including customers in the United States, to use, make, sell, and/or import such proteome analysis instruments, assay kits for same, components thereof, and systems containing the same, in a directly infringing manner. For example, and not by limitation,

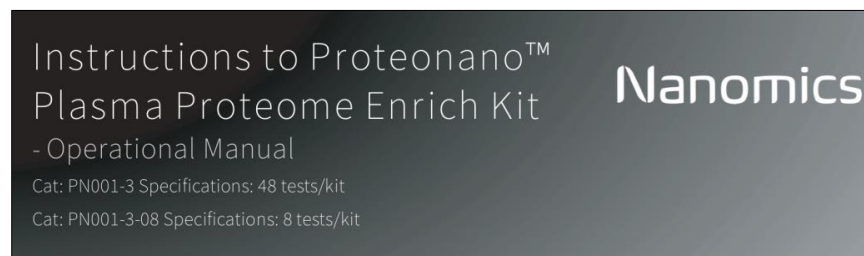
Nanomics and its U.S. distributor offer the Proteonano™ G1 Pro Proteomics Workstation as well as the Proteonano™ Plasma Proteome Enrichment Kit on their websites for commercial sale, along with an Operational Manual for the Proteonano™ Enrichment Kits:



See Ex. 18 (<https://www.nanomics.ai/g1-basic-workstation>).



See Ex. 19 (<https://www.nanomics.ai/plasma-proteome-enrich-kit>).



5. Important Preparation Steps

The performance of the Proteonano™ Plasma Proteome Enrich Kit is dependent on the maintenance and set up for LC-MS/MS, and proper execution of experimental steps outlined in Sections below. Thus, it is critical to use Proteonano™'s quality control system (QCS) to test the performance of LC-MS/MS setup and familiarize with experimental procedures before performing proteomic experiments using experimental samples.

See Ex. 20 (Nanomics Operational Manual available at Amerigo Scientific web site) at 1, 3.

18. On information and belief, Nanomics also contributes to infringement of the Asserted Patents by marketing and offering for sale to its customers, distributors, and/or end users the Accused Products, which are especially made for infringing use, with the knowledge that such use is infringing, and with the knowledge that the Accused Products are part of such infringing uses. Additionally, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

III. THE TECHNOLOGY AND PRODUCTS AT ISSUE

A. Background of the Technology

19. Proteins are the functional drivers of biology and the primary targets of most approved drugs. Unlike DNA, which is largely static over an individual's lifetime, the proteome is dynamic and reflects real-time biological processes, disease states, and responses to therapeutic intervention.

20. Proteomics (the study of proteomes) can provide a wide range of biological insights including disease-related changes in protein abundance (*i.e.*, the concentration of certain proteins in a biological sample) and form (*e.g.*, how they are modified after they are translated from mRNA). However, it is estimated that there may be over one million distinct protein variants, called proteoforms, so researchers and practitioners have struggled to comprehensively characterize protein biology at scale. This has resulted in a limited ability to detect the earliest stages of diseases, anticipate the path a disease may take in one patient versus another, predict the likelihood of responses for an individual to particular treatment, and preempt the possible adverse effects of treatment on a particular individual.

21. Prior to Complainants' inventions, researchers and practitioners had tried using mass spectrometry to analyze the identity and concentration of proteins in various biological samples, but the complexity of the protein mixture in such samples made the readings unreliable

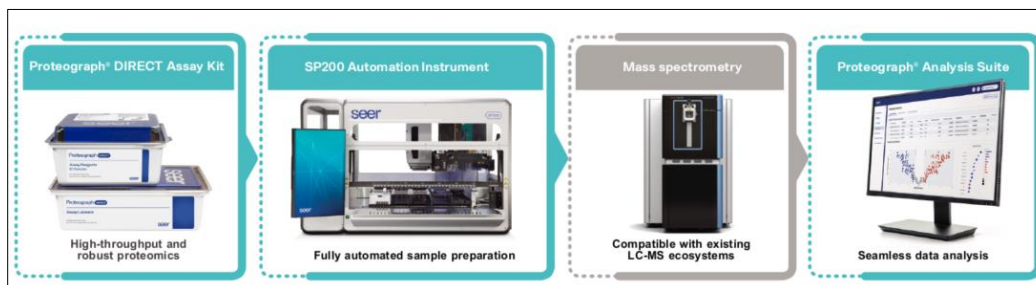
and uninformative beyond a very narrow dynamic range. In blood plasma, for example, a handful of proteins are present in such high concentrations that the concentration of the low-abundance proteins (of greatest interest), could not be detected reliably because the high-abundance proteins in the same volume obscured or masked the low-abundance proteins. For example, high abundance proteins like albumin and globulins make up approximately 90% of the plasma's protein concentrations, masking the detection of low-abundance proteins (i.e., proteins typically present in plasma samples at a concentration of 100ng/ml or less) in non-enriched plasma samples. These low abundance proteins are considered to be of the greatest clinical importance as “biomarkers” of disease. In many cases, because of these challenges, the proteins of interest could not be detected at all, much less reliably and reproducibly. Because of the technological limitations for overcoming this unequal concentration of proteins in a sample, the literature commonly disregarded low-abundance proteins.

22. To address this problem, scientists traditionally employed one of two approaches: (1) specific depletion, or (2) specific enrichment. In specific depletion approaches, the high-abundance proteins were targeted by contacting the samples with binding agents having a high specificity for the high abundance proteins and removing the binding agent-high abundance protein complexes from the sample. Such approaches to depleting the input material being analyzed included an expensive, time-intensive, and laborious technique called fractionation, and other more specific mechanisms for targeting high-abundance proteins. Such approaches were ultimately ineffective, though, because they continued to obscure the low-abundance proteins in the biological sample that interacted with, and were inadvertently removed with, the high-abundance proteins. In specific enrichment approaches, scientists attempted to decrease the complexity of the input material being analyzed by targeting a predetermined protein or limited

set of proteins for specific enrichment. For example, an individual particle type tailored to specifically bind to and thereby enrich particular proteins of interest could be identified and employed to *narrow* the dynamic range of the proteins being analyzed to the maximum extent possible. Researchers thus sought to develop a given nanoparticle that was tuned to selectively isolate specific biomarkers of interest for disease diagnosis, prognosis, and monitoring. Limiting the complexity of the input material for a given sample was understood to be essential for reliably detecting the low-abundance proteins most relevant to these applications, but the bias inherent in such approaches prevented the discovery of new, more powerful biomarkers. Moreover, as with specific depletion approaches, specific enrichment approaches often shared the downsides of being slow, laborious, small-scale solutions.

23. Dr. Farokhzad set out to find an innovative solution to these technical obstacles. While completing his residency at Harvard Medical School at BWH, Dr. Farokhzad decided to take a different approach than the literature provided. Instead of restricting his analysis to a small number of proteins captured by targeted nanoparticles, Dr. Farokhzad combined the use of multiple non-specific nanoparticles, each with different physiochemical properties, to capture and analyze the results from the resulting protein coronas (*i.e.*, the layer of protein that accumulates on the surfaces of the nanoparticles) to provide an unbiased and robust panel of proteins for identifying relevant biomarkers. He found that this counterintuitive approach, which increased the complexity of the analysis rather than minimizing it, surprisingly helped to assay the biological sample by detecting the low abundance proteins that were of greatest interest to researchers and practitioners. In contrast to earlier approaches, Complainants' patented inventions counterintuitively *expanded* the dynamic range of proteins that could be analyzed by mass spectrometry, thereby providing an unbiased platform for deep, rapid analysis of the proteome.

24. Dr. Farokhzad and his eminent co-founders established Seer to create a suite of products that embody these technological advances. Seer's Proteograph® Platform includes an assay kit, an automation instrument, and Seer's data analysis software. *See* Ex. 21.

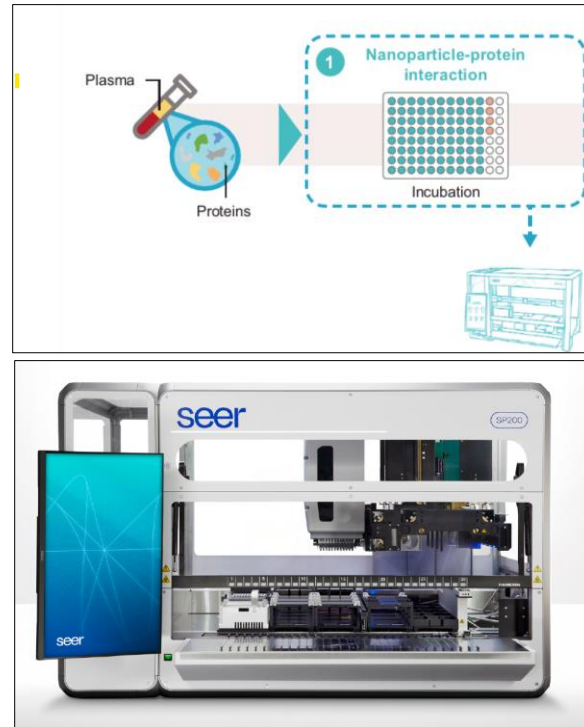


25. Seer's assay kit is a consumables package containing Seer's proprietary engineered nanoparticles, reagents, plasticware, and controls for protein enrichment of 40 or 80 samples at a time. Notably, Seer's proprietary engineered nanoparticles are also magnetic, and specifically superparamagnetic, allowing them to be easily concentrated at the bottom of a well in a well plate, a feature critical to rapid, automated sample processing. Seer's automation instruments—currently, the SP100 and SP200 Automation Instruments—use Seer's assay kits to perform sample processing and peptide preparation for mass spectrometry-based sample analysis, and include methods for desalting, quantification, and reconstitution of peptides obtained from digestion of the proteins contained in the coronas formed on the nanoparticles. Once the peptides have been analyzed using a mass spectrometer, researchers upload the raw data files to Seer's data analysis software—currently, the Proteograph® Analysis Suite—to process their results.

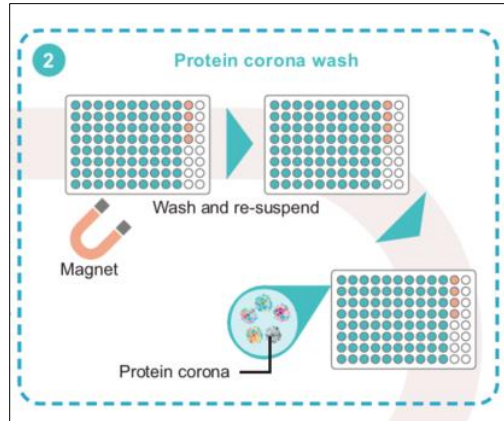
26. Complainants' patented inventions embodied in the Proteograph® Platform consist of a number of aspects. Ex. 22.¹ Among these, Seer's magnetic nanoparticles (comprised of multiple particle types) are combined with a volume of a biological sample to enable nanoparticle-

¹ This video illustrates aspects of the Proteograph® Product Suite. <https://www.youtube.com/watch?v=jWPKiL9fsBw>.

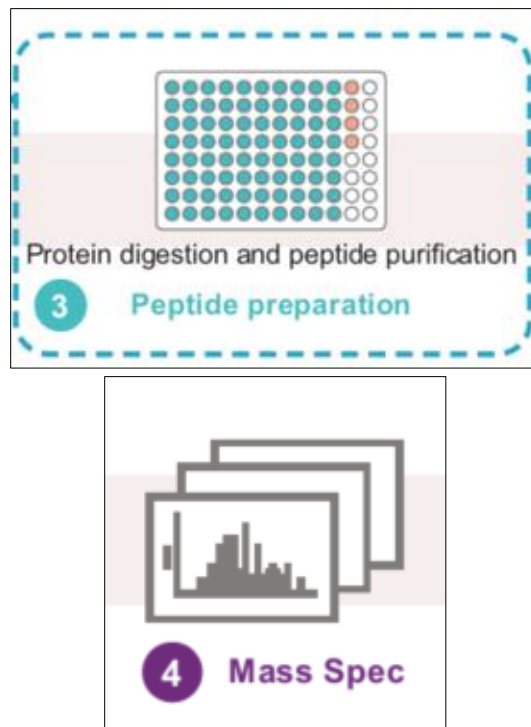
protein interaction and resulting corona formation. The specific protein corona that is formed depends on the physicochemical properties of the particle type. This step can be performed by aliquoting a volume of a biological sample into a well of a 96 well-plate using Seer's automated instrument. Experimental control samples are also loaded onto the well-plate. Seer's nanoparticles also are loaded into each well. Ex. 23 at 1, 3.



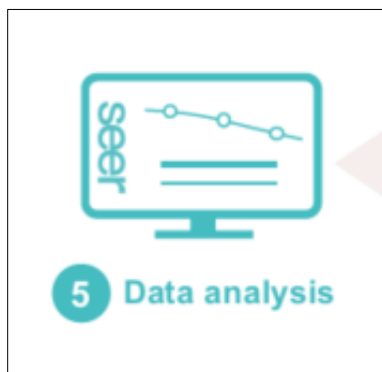
27. The nanoparticles are then incubated with the biological sample for around an hour. During incubation, an equilibrium is achieved, with certain low-abundance proteins counterintuitively being over-represented in the corona as compared to high-abundance proteins in relation to their concentrations in the starting biological sample. Seer's platform then uses a magnet to pull down the corona-covered nanoparticles to the bottom of the well so that the supernatant (remaining fluid from the biological sample) can be removed, after which the particles are washed to remove proteins from the biological sample that are not part of the coronas or that are only weakly bound to the particles, along with removing other contaminants. *Id.* at 3.



28. Corona proteins are then denatured, reduced, alkylated, and digested, producing a solution of tryptic peptides. Total protein content is subsequently quantified using a fluorescence spectrometer, and the peptides are dried. The automation instrument reconstitutes the peptides in a solution to yield a peptide concentration desirable for testing, and the peptides are ready for mass spectrometry analysis. *Id.*



29. After mass spectrometry, the resulting data is transferred to the Proteograph[®] Analysis Suite for peptide and protein identification, quantification, and other analysis designed to capture biological insights. *Id.*



30. Since its launch, Seer's Proteograph[®] Platform has served more than 190 customers in more than 20 different countries, including at leading academic institutions, biopharmaceutical companies, biobanks, and clinical research organizations. With the help of the Proteograph[®] Platform, Seer's customers can now conduct deep, highly reproducible, unbiased proteomic studies at scales involving tens to tens-of-thousands of samples, quantifying thousands of proteins and hundreds of thousands of peptides, and generating data suitable for large-scale statistical analysis.

B. Products at Issue

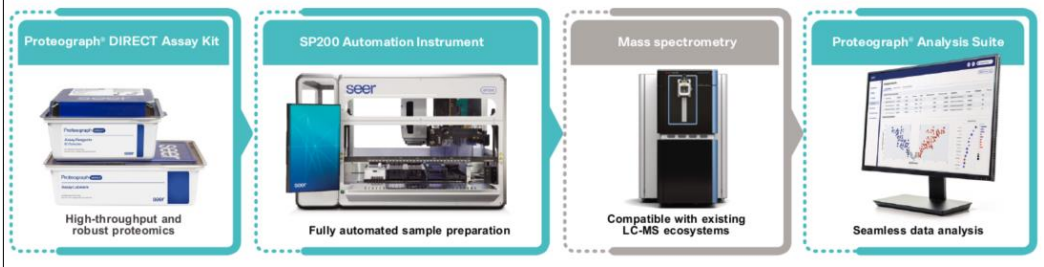
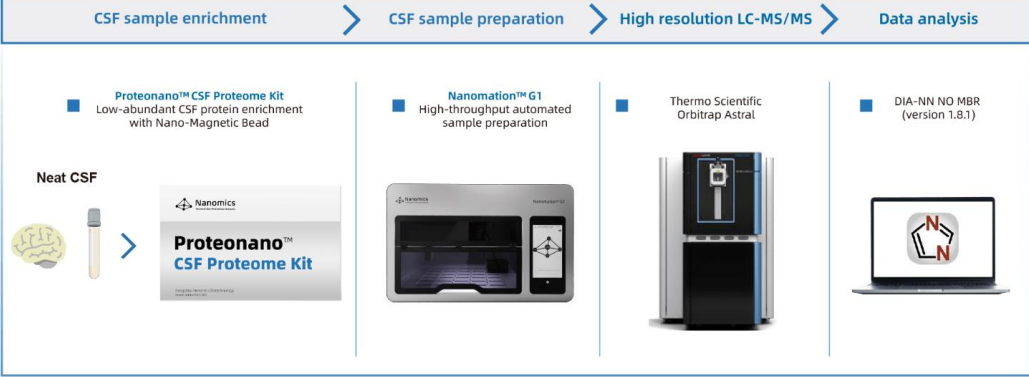
31. The categories of products accused of infringing one or more of the Asserted Patents are certain systems, devices, software, compositions, chemicals, and laboratory supplies for studying proteins. The accused proteome analysis products are typically used for research use only and, as such, are used in laboratories by scientists to conduct research. *See* § 210.10(b)(1).

32. Pursuant to Commission Rule 210.12(a)(12), a plain English description of the articles involved is automated workstations for proteomics and associated software, assay kits for proteomics, and components thereof including nanoparticles, reagents, and laboratory

consumables.

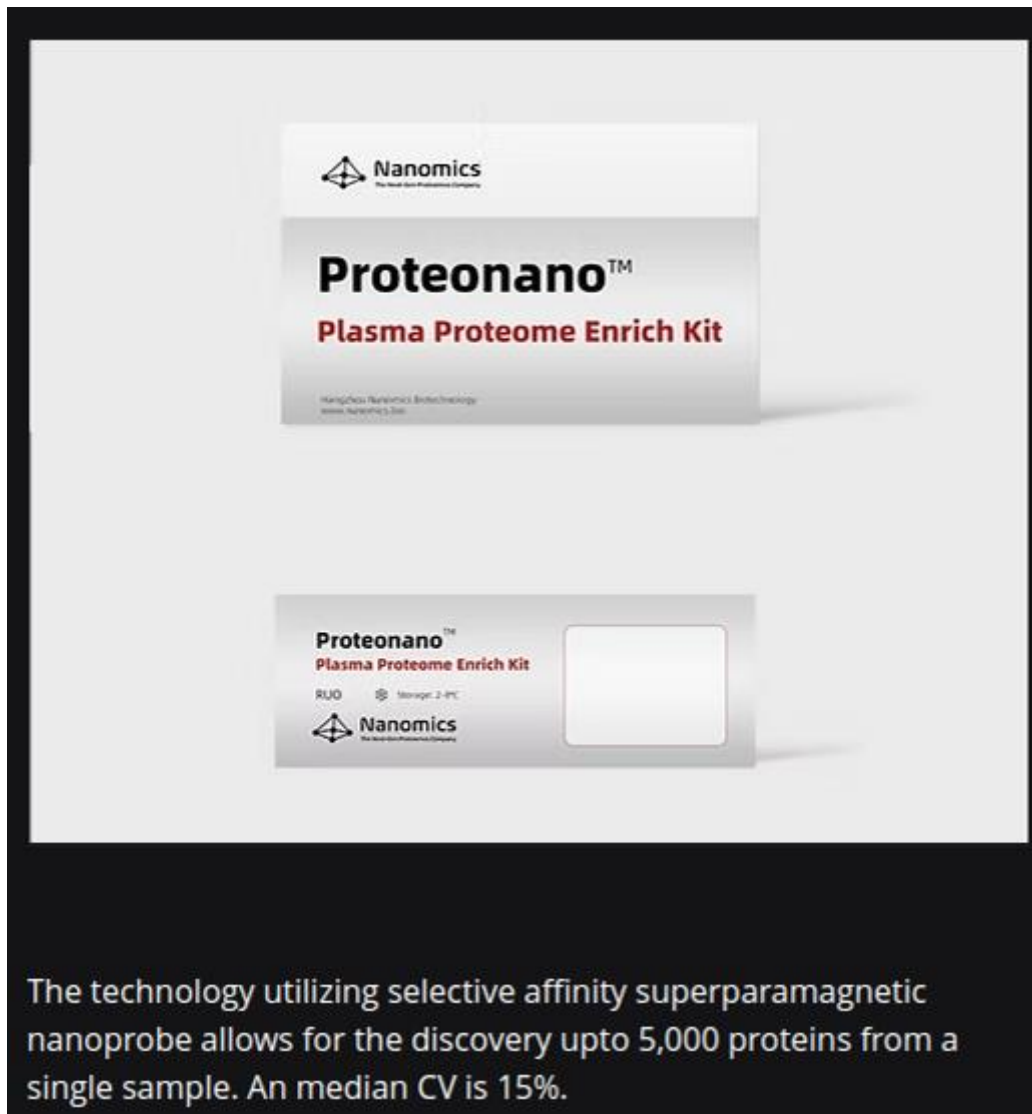
33. The Proposed Respondent infringes the Asserted Patents through the sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of the Accused Products.

34. Nanomics has copied virtually every feature of Seer's domestic industry products, including Seer's Proteograph® Platform. For example, Nanomics even copies visuals from Seer to illustrate the use and components of its PUP Platform:

Seer's Literature	 Ex. 23 at 2 .
Nanomics' LinkedIn	 Ex. 24 (https://www.linkedin.com/pulse/high-resolution-csf-proteomics-proteonano-ultraplex-lpyqc/)

35. Like Seer's Proteograph® Platform, Nanomics' PUP platform is meant to enable “[p]rotein enrichment by nano-bio interaction” to “selectively capture low abundant proteins in biological samples[]” and, thereafter, these “peptides are weighted and sequenced by high-resolution mass spectrometers.” Ex. 25 at 3. And, like the Proteograph® Platform, Nanomics’

Proteonano™ Kit uses “superparamagnetic” nanoparticles for this process:



Ex. 26.

36. Even more, Nanomics markets that its Proteonano™ Kits contain multiple nanoparticle types. For example, a Nanomics publication describing the Accused Technology explains that the “Proteonano™ Kit is composed of AI-designed polypeptides to selectively bind and enrich low abundance proteins (LAPs) in biofluid samples with high specificity and sensitivity.” Ex. 27 at 8; Ex. 29 at 2.

1. Proteonano nanoparticles

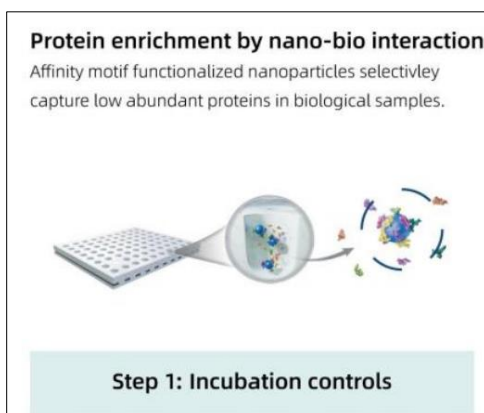
The Proteonano Enrich Kit is composed of hierarchically structured nanoparticles functionalized with peptides (PCNPs). The physicochemical properties of three peptides used in this work are shown in Supplemental Table 1.

Supplemental Table 1. The physicochemical properties of three peptides

Name	Sequence	Length	M _w	Isoelectric Point	Charge (mV)	Hydrophobicity	GRAVY
PP1	HKAATKIQASFRGHIT RKKLC	21	2,395	11.73	0.30	38%	-0.65
PP2	DIEEVEVRSKYFKKNE RTVEC	21	2,602	4.90	-1.04	62%	-1.22
PP3	QETLKDTRSKFFNKPS MTVVC	21	2,460	9.73	1.95	48%	-0.63

See also Ex. 28 (“the PUP Platform achieved cutting-edge deep plasma proteome coverage and data quality by effectively combining multiple nanoparticles into a single, uniform reagent”).

37. Further, like Seer’s platform, Nanomics’ process uses a 96 well-plate in which the nanoparticles are incubated with the biological samples to form coronas before a magnet is used to separate the corona-covered particles from the remainder of the biological sample. For example, the Nanomics’ G1 workstation “includes a heater-shaker module for nanoparticle-plasma incubation” and “a magnetic module for protein corona separation.” Ex. 28 at 7.

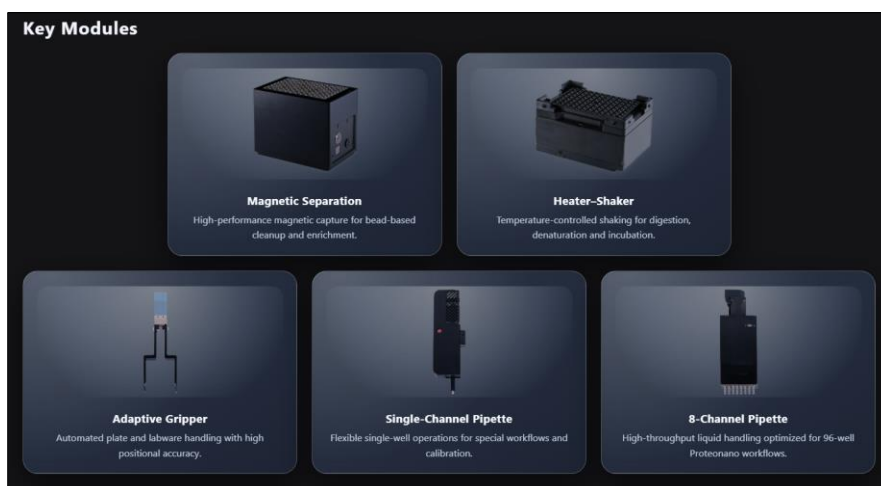


See Ex. 27 at 10 (Fig. 2).

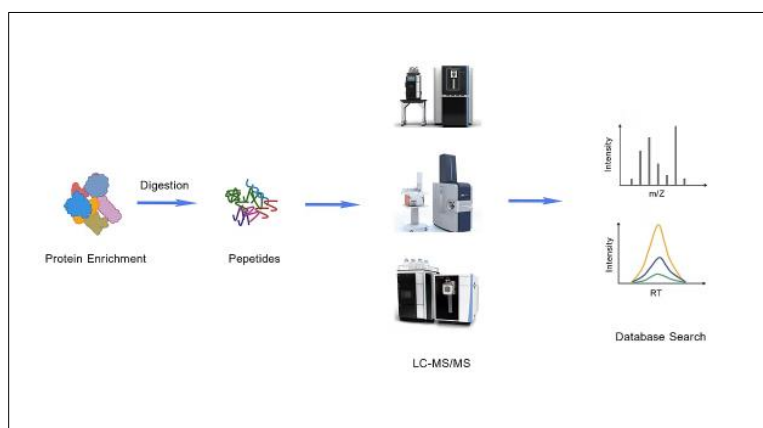


Ex. 29 at 4.

38. Nanomics' platform currently has four automated workstations: the G1 Basic Workstation, the G1 Pro Workstation, the EV Purification Workstation, and the Protein Purification Workstation (collectively, "Proteonano™ Workstations"). Among other modules, Proteonano™ Workstations include magnetic separation and a heat-shaker for digestion, denaturation, and incubation. Ex. 30.

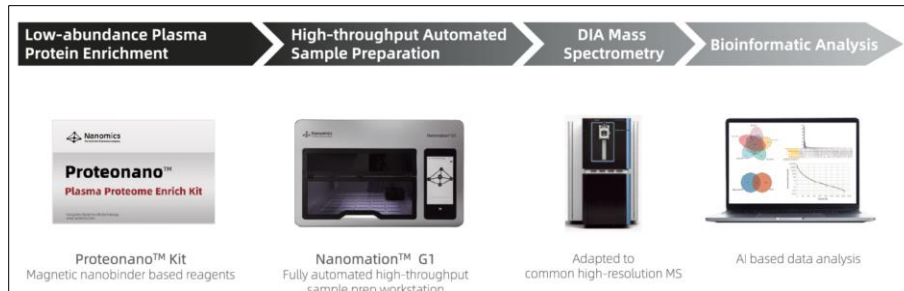


39. Again, like Seer’s platform, proteins are denatured, reduced, alkylated, and digested in the Proteonano™ Workstation and the peptides are prepared for mass spectrometry, after which the MS data is transferred to Nanomics’ “Ai-powered proteomics analysis software.”



Ex. 31.

40. Specific examples of infringing Accused Products known as of the date of this Complaint are Nanomics’ Proteonano™ Ultraplex Proteomics Platform (“PUP Platform”) and its components, which according to Nanomics “consists of the Proteonano™ Kit, Nanomics G1 Workstation, and AI-powered proteomics analysis software, specifically addressing the bottlenecks in detecting low-abundance proteins in mass spectrometry-based proteomics.” Ex. 32 at 3.



41. The infringing Accused Products include various iterations of the Proteonano™ Kit, including but not limited to the Proteonano™ SP3 Proteome Extract Kit, the Proteonano™ Plasma Proteome Enrichment Kit, the Proteonano™ EV Proteome Enrichment Kit, the Proteonano™ Mouse Plasma Proteome Enrichment Kit, the Proteonano™ CSF Proteome Enrichment Kit, the Proteonano™ Urine Proteome Enrichment Kit, the Proteonano™ Saliva Proteome Enrichment Kit, and the Proteonano™ HT Assay.

42. Without discovery, Seer cannot exhaustively identify all infringing proteome analysis instruments and assay kits that are sold for importation into the United States, imported into the United States, and/or sold within the United States after importation and infringe the Asserted Patents. Seer reserves the right to supplement its allegations, to further amend this Complaint, to add respondents, and asserted patents and accused products in the future, if necessary based on discovery received during the Investigation.

IV. THE ASSERTED PATENTS

43. The Asserted Patents relate to proteome analysis systems, assay kits, and methods used by scientists in laboratories.

44. The identification, ownership, non-technical description, and foreign counterparts for each Asserted Patent are identified below.

A. U.S. Patent No. 11,435,360

i. Identification and Ownership of the '360 Patent

45. The '360 Patent, titled "System and Sensor Array," issued on September 6, 2022, from U.S. Patent Application No. 17/215,923, filed on March 29, 2021. Omid Farokhzad, Morteza Mahmoudi, and Claudia Corbo are the named inventors of the '360 Patent. A copy² of the '360 Patent is attached as Exhibit 1 and is incorporated by reference.

46. BWH is the owner by assignment of the '360 Patent.³ BWH has exclusively licensed the '360 Patent to Seer. *See* Ex. 6; Ex. 34C. Neither Seer nor BWH have licensed the '360 Patent to Nanomics.

47. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by an electronic certified copy of the '360 Patent at Exhibit 1 and an electronic copy⁴ of the file history of the '360 Patent at Appendix A.

48. The '360 Patent is valid, enforceable, and currently in full force and effect. The '360 Patent expires on December 18, 2037.

ii. Non-Technical Description of the '360 Patent⁵

49. The '360 Patent generally claims methods of contacting a biological sample with

² Complainants have ordered certified copies of the Asserted Patents, identified as Exhibits 1 through Exhibit 5 to the Complaint, and will supplement the Complaint with those documents once they arrive, pursuant to Commission Rule 210.12(c)(1).

³ Complainants have ordered certified copies of the USPTO assignments for the Asserted Patents, identified as Exhibits 6 through Exhibit 10 to the Complaint, and will supplement the Complaint with those documents once they arrive, pursuant to Commission Rule 210.12(c)(1).

⁴ Complainants have ordered certified copies of the prosecution histories of the Asserted Patents, identified as Appendices A, B, C, D, and E to the Complaint, and will supplement the Complaint with those documents once they arrive, pursuant to Commission Rule 210.12(c)(1).

⁵ The Non-Technical Descriptions throughout the Complaint do not, and are not intended to, construe or limit the Asserted Patents' scope or meaning.

particles to assay a subset of proteins from the sample. Claim 3, for example, requires contacting the sample with a plurality of particles, including iron oxide particles, allowing biomolecules in the sample to bind to the particles to form coronas corresponding to different particle types, separating a subset of particles to produce a subset of proteins from the sample, and assaying the subset of proteins to detect proteins at concentrations across a range comprising at least six orders of magnitude.

iii. Foreign Counterparts to the '360 Patent

50. Pursuant to Commission Rule 210.12(a)(9)(v), Seer submits the attached list of foreign patents, foreign patent applications (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '360 Patent. *See* Exhibit 33.

B. U.S. Patent No. 11,630,112

i. Identification and Ownership of the '112 Patent

51. The '112 Patent, titled "Systems and Methods for Sample Preparation, Data Generation, and Protein Corona Analysis," issued on April 18, 2023, from U.S. Patent Application No. 17/216,523, filed on March 29, 2021. William Manning, Young Kim, Brandon Kwan-Leong, Hope Liou, Xiaoyan Zhao, Daniel Hornburg, and Martin Goldberg are the named inventors of the '112 Patent. A copy of the '112 Patent is attached as Exhibit 2 and is incorporated by reference.

52. Seer is the owner by assignment of all right, title, and interest in the '112 Patent. Seer has not licensed the '112 Patent to Nanomics. *See* Ex. 7.

53. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by an electronic copy of the '112 Patent at Exhibit 2 and an electronic copy of the file history of the '112 Patent at Appendix B.

54. The '112 Patent is valid, enforceable, and currently in full force and effect. The '112 Patent expires on August 4, 2040.

ii. Non-Technical Description of the '112 Patent⁶

55. The '112 Patent generally claims automated systems using magnetic particles to distinguish states of a biological sample. Claim 1, for example, claims an automated system for distinguishing states of a biological sample including, *inter alia*, a sensing unit comprising a magnetic sensor array that is removably coupled to a support and comprises partitions of magnetic particles with surfaces with different properties for binding analytes in the sample, where the magnetic particles are configured to bind to at least 300 different proteins; a magnetized support where one or more processors are further programmed to transfer the magnetic sensor array to the magnetized support; and a control unit programmed to contact the sample with a partition of the magnetic sensor array, incubate the sample with the magnetic particles, remove components from the partition except the particles and the analytes interacting with them, add a solution to remove other components from the partition, and prepare the analytes comprising at least 300 different proteins for mass spectrometry.

iii. Foreign Counterparts to the '112 Patent

56. Pursuant to Commission Rule 210.12(a)(9)(v), Seer submits the attached list of foreign patents, foreign patent applications (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '112 Patent. *See* Exhibit 33.

⁶ The Non-Technical Descriptions throughout the Complaint do not, and are not intended to, construe or limit the Asserted Patents' scope or meaning.

C. U.S. Patent No. 12,050,222

i. Identification and Ownership of the '222 Patent

57. The '222 Patent, titled “Systems and Methods for Sample Preparation, Data Generation, and Protein Corona Analysis,” issued on July 30, 2024, from U.S. Patent Application No. 18/365,627, filed on August 4, 2023. William Manning, Young Kim, Brandon Kwan-Leong, Hope Liou, Xiaoyan Zhao, Daniel Hornburg, and Martin Goldberg are the named inventors of the '222 Patent. A copy of the '222 Patent is attached as Exhibit 3 and is incorporated by reference.

58. Seer is the owner by assignment of all right, title, and interest in the '222 Patent. Seer has not licensed the '222 Patent to Nanomics. *See* Ex. 8.

59. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by an electronic copy of the '222 Patent at Exhibit 3 and an electronic copy of the file history of the '222 Patent at Appendix C.

60. The '222 Patent is valid, enforceable, and currently in full force and effect. The '222 Patent expires on August 4, 2040.

ii. Non-Technical Description of the '222 Patent⁷

61. The '222 Patent generally claims automated systems using magnetic particles to prepare biological samples for mass spectrometry. Claim 16, for example, claims an automated system for preparing a biological sample for mass spectrometry including, *inter alia*, a sensing unit comprising a magnetic sensor array that comprises partitions of magnetic particles with physicochemical properties configured for binding a population of proteins comprising at least 300 protein groups in the sample with a polydispersity index of 0.01 to 0.1; a support configured to immobilize the magnetic particles when the magnetic sensor array is transferred to the support;

⁷ The Non-Technical Descriptions throughout the Complaint do not, and are not intended to, construe or limit the Asserted Patents' scope or meaning.

and a control unit programmed to incubate the sample with the magnetic particles under conditions sufficient to bind the population of proteins, apply the magnetized support to the magnetic sensor array to separate unbound sample from the magnetic particles, separate unbound components in the partitions from the proteins and magnetic particles, and prepare the population of proteins for mass spectrometry, including by incubating them and the magnetic particles with a digestion solution.

iii. Foreign Counterparts to the '222 Patent

62. Pursuant to Commission Rule 210.12(a)(9)(v), Seer submits the attached list of foreign patents, foreign patent applications (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '222 Patent. *See* Exhibit 33.

D. U.S. Patent No. 12,228,566

i. Identification and Ownership of the '566 Patent

63. The '566 Patent, titled “Systems and Method for Protein Corona Sensor Array for Early Detection of Diseases,” issued on February 18, 2025, from U.S. Patent Application No. 18/606,701, filed on March 15, 2024. Omid Farokhzad, Morteza Mahmoudi, and Claudia Corbo are the named inventors of the '566 Patent. A copy of the '566 Patent is attached as Exhibit 4 and is incorporated by reference.

64. BWH is the owner by assignment of the '566 Patent. BWH has exclusively licensed the '566 Patent to Seer. *See* Ex. 34C. Neither Seer nor BWH have licensed the '566 Patent to Nanomics.

65. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by an electronic copy of the '566 Patent at Exhibit 4 and an electronic copy of the file history of the '566 Patent at Appendix D.

66. The '566 Patent is valid, enforceable, and currently in full force and effect. The '566 Patent expires on December 18, 2037.

ii. Non-Technical Description of the '566 Patent⁸

67. The '566 Patent generally claims methods of identifying a pattern of protein biomarkers in a biological fluid using magnetic particles with different properties and identifying a relationship between a protein biomarker and a disease state. Claim 1, for example, claims a method of identifying a pattern of protein biomarkers including, *inter alia*, incubating a biological fluid from a subject in a disease state with magnetic particles with different properties to allow biomolecule coronas to form on the surfaces of the particles that differ based on the different properties of the particles, isolating the magnetic particles and the biomolecule coronas, and analyzing proteins of the biomolecule coronas by mass spectrometry to identify a relationship between a protein biomarker and the disease state using a computer.

iii. Foreign Counterparts to the '566 Patent

68. Pursuant to Commission Rule 210.12(a)(9)(v), Seer submits the attached list of foreign patents, foreign patent applications (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '566 Patent. *See* Exhibit 33.

E. U.S. Patent No. 12,590,948

i. Identification and Ownership of the '948 Patent

69. The '948 Patent, titled “Systems and Methods for Discovery and Analysis of Biomarkers,” issued March 31, 2026, from U.S. Patent Application No. 16/548,516, filed August 22, 2019. John T. Stults, Alfred Greenquist, and Alexander Sassi are the named inventors of the

⁸ The Non-Technical Descriptions throughout the Complaint do not, and are not intended to, construe or limit the Asserted Patents' scope or meaning.

'948 Patent. A copy of the '948 Patent is attached as Exhibit 5 and is incorporated by reference.

70. Seer is the owner by assignment of all right, title, and interest in the '948 Patent. Seer has not licensed the '948 Patent to Nanomics. *See* Ex. 10.

71. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by an electronic copy of the '948 Patent at Exhibit 5 and an electronic copy of the file history of the '948 Patent at Appendix E.

72. The '948 Patent is valid, enforceable, and currently in full force and effect. The '948 Patent expires on November 18, 2028.

ii. Non-Technical Description of the '948 Patent⁹

73. The '948 Patent generally claims a system for analyzing a biological sample by depleting the sample of highly abundant proteins. Claim 1, for example, claims a system for analyzing biological samples including, *inter alia*, a separation device configured to deplete a sample of highly abundant proteins present at a concentration of at least 10 µg/mL, a sample ionizer, an ion excitation device coupled to a switch, and a mass spectrometer.

iii. Foreign Counterparts to the '948 Patent

74. Pursuant to Commission Rule 210.12(a)(9)(v), there are no foreign patents, foreign patent applications (not already issued as a patent), or foreign patent applications that have been denied, abandoned, or withdrawn corresponding to the '948 Patent.

F. Licensees

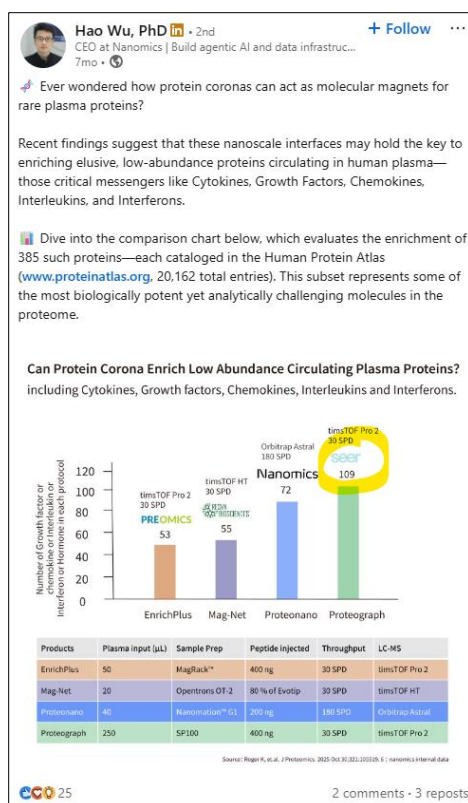
75. Pursuant to Commission Rule 210.12(a)(9)(iii), Exhibit 47C identifies all licensees to the Asserted Patents.

⁹ The Non-Technical Descriptions throughout the Complaint do not, and are not intended to, construe or limit the Asserted Patents' scope or meaning.

V. UNLAWFUL AND UNFAIR ACTS COMMITTED BY THE PROPOSED RESPONDENT

76. On information and belief, Proposed Respondent Nanomics, without authorization, had been and still is infringing each of the Asserted Patents in the United States. Nanomics' unlawful and unfair acts include the importation into the United States, sale for importation into the United States, or sale within the United States after importation of the infringing Accused Products. Nanomics has violated, and continues to violate, Section 337 of the Tariff Act of 1930 in view of U.S. patent laws. Nanomics is not licensed under the Asserted Patents. Nanomics had actual notice that the Accused Products infringe the Asserted Patents at least as of May 15, 2026, when it was served with a district court complaint claiming infringement of the Asserted Patents. *See Seer, Inc. v. Nanomics Biotechnology Co., Ltd.*, Case No. 1:26-cv-05498 (N.D. Ill. May 19, 2026), Dkt. 8.

77. On information and belief, Nanomics additionally has had actual and/or constructive knowledge of Complainants' patented technology in the Asserted Patents by or shortly after each of their issue dates. For starters, there can be no doubt that Nanomics knew of Seer and its products that embody the Asserted Patents; the field of proteomics research is close-knit and small, and Nanomics' CEO even mentioned Seer in public posts online:



See Ex. 35 (https://www.linkedin.com/posts/haowu-uchicago_ever-wondered-how-protein-coronas-can-activity-7373672214069456896-UI5q?utm_source=share&utm_medium=member_desktop&rcm=ACoAAAifn3QBIBNgyRrlOdaZVvd4g9lh7ymSEEc) (annotation added).

78. By way of further example, Nanomics’ publications mention Seer and cite to articles published by Seer regarding profiling the plasma proteome, further evidencing Nanomics’ knowledge of the Asserted Patents embodied in Seer’s products. Ex. 28 at 5 (“[M]ass spectrometry-based nanoparticle-enriched plasma proteomics has seen remarkable advancements in recent years.”) (citing Blume et al.); see Ex. 36 at 14 (noting authorship of inventors of the Asserted Patents, namely, William Manning, Hope Liou, Xiaoyan Zhao, Daniel Hornburg, and Omid Farokhzad, and further noting that the authors “have financial interest in

Seer” and that “[o]nly Seer, and no other companies mentioned here, was involved in the study design, data collection and analysis, and manuscript writing/editing”).

79. Nanomics has also attended conferences at which Seer presented its products embodying the Asserted Patents. For instance, Nanomics attended the US HUPO 2026 conference in St. Louis, Missouri, where researchers demonstrated the benefits of using Seer’s Photograph Platform. *See* Ex. 37 (Press Release, “Leading Scientists Demonstrate How Seer’s Proteograph® Product Suite Advances Cardiovascular and Neurodegenerative Research at US HUPO 2026,” Seer (Feb. 19, 2026)).



Ex. 38 (Nanomics Biotech LinkedIn Post).



Ex. 39.

80. Nanomics knew of the patents and their infringement of them at least as of May 15, 2026, when Nanomics was served with the complaint asserting infringement of the Asserted Patents in the U.S. District Court for the Northern District of Illinois. On information and belief, Nanomics' acts of infringing the Asserted Patents have therefore been undertaken with knowledge of Complainants' patent rights.

81. Specifically, Complainants assert that Nanomics directly and/or indirectly infringes, literally or under the doctrine of equivalents, at least the following claims of the Asserted Patents, in violation of 35 U.S.C. §§ 271(a), (b), and (c), and Section 337 (a)(1)(B)(i):

Asserted Patent	Asserted Independent Claims	Asserted Dependent Claims
11,435,360		2-3, 5, 7-13, 15-16, 23-24, 26-27
11,630,112	1	2-8, 12-19, 21
12,050,222	16	
12,228,566	1	2-10, 19-20
12,590,948	1-2	

Table 2. Asserted Independent Claims Infringed by Proposed Respondent

A. Representative Products: Proteonano™ G1 Pro Proteome Workstation and Proteonano™ Plasma Proteome Enrich Kit

82. Nanomics' Accused Products directly infringe (literally and/or under the doctrine

of equivalents), contributorily infringe, and/or induce the infringement of at least the Asserted Claims. (*See supra* Pts. I & III; *infra* Pt. VI). Discovery may reveal that Nanomics infringes additional claims of the Asserted Patents.

83. On information and belief, Nanomics manufactures, assembles, packages and tests, and/or purchases the Accused Products outside the United States, specifically, at least in China. Ex. 17C. Nanomics then imports into the United States, sells for importation, and/or sells within the United States after importation, the Accused Products.

84. Proposed Respondent has violated Section 337 by importing into the United States, selling for importation, and/or selling in the United States after importation products infringing the Asserted Claims of the Asserted Patents. By way of example, claim charts attached as Exhibits 11-15 demonstrate how the G1 Pro Proteome Workstation and/or ProteonanoTM Plasma Proteomics Enrich Kit, exemplary Accused Products, individually or in combination, infringe the Asserted Claims. Those exhibits are also representative of infringement by other Accused Products. Further discovery may reveal additional infringing Nanomics products.

i. Nanomics Directly Infringes the Asserted Patents By Importing and Selling the Accused Products

85. Nanomics directly infringes the Asserted Patents by importing into the States, selling for importation, and/or selling the Accused Products in the United States after importation. For example, papers and instructions distributed by Nanomics regarding the Accused Products describe systems that infringe at least the Asserted Claims. *See* Ex. 11-15. Nanomics infringes the Asserted Patents either directly and/or under the doctrine of equivalents. *See id.*

86. For example, the G1 Pro Proteome Workstation is an instrument that facilitates automated proteomics workflows. Ex. 18. According to Nanomics, the G1 Pro Proteome Workstation can process up to 96 samples in a single run to facilitate large-scale proteomics cohort

studies and reduces sample pretreatment time to 8-9 hours. *Id.* The Workstation includes a G1 Pro Robot, 8-channel pipettes, and is modular with modules including an adaptive gripper, heat-shaker, circular magnetic base, an LCD screen, and ultraviolet sanitizing module. *Id.* It also includes labware, such as pipette tips, 96-deep well plates, a reservoir, test tube set, and waste container. *Id.* The Workstation has an integrated app for automation. *Id.*

87. User-facing materials for the G1 Pro Proteome Workstation encourage the user to use it to prepare samples for mass spectrometry and to use it with Nanomics' assay kits, including but not limited to the Proteonano™ Plasma Proteome Enrich Kit. *See, e.g., id.*

88. Nanomics' Proteonano™ Plasma Proteomics Enrich Kit includes "low-abundance protein enrichment magnetic nanobeads," various chemical buffers, trypsin powder, and pipette tips. According to the kit's instructions, the kit is part of the "Proteonano technology" that "allows selective capture of low abundant proteins, resulting in relative depletion of high abundant proteins." Ex. 20 at 1. Specifically, this "uses peptides and small molecules modified on the surface of magnetic nanoparticles (multi-valent, multi-affinitive nanoprobcs, MMNPs) for plasma/serum protein capture." *Id.*

89. The instructions further provide "Experimental Procedures," that instruct the user to, *inter alia*, "3. Add 20 µL prepared Enrichment Nanobeads to the plasma/serum in EN-Binding Buffer, gently vortex to mix, and place the microcentrifuge in a microcentrifuge heater shaker, incubate at room temperature, shake at 1500 rpm for 1 hour. 4. After incubation, place the centrifuge tube on the magnetic rack for at least 3 minutes, until Enrichment Nanobeads is completely collected by the magnet, and discard the supernatant by pipetting.... 5. Add 180 µL EN-Wash Buffer to the centrifuge tube, gently vortex to resuspend Enrichment Nanobeads, place the centrifuge tube on the magnetic rack for at least 3 minutes, until Enrichment Nanobeads is

completely collected by the magnet, and discard the supernatant by pipetting. Repeat 2 times, remove supernatant completely after final wash*.” *Id.* at 4-5. The “Experimental Procedures” include further steps of “Denaturation, Reduction, Alkylation, and Digestion” and “Desalting and Lyophilization.” *Id.* at 5.

90. Videos distributed by Nanomics regarding the G1 Pro Workstation depict using the Plasma Proteome Enrich Kit and other Nanomics assay kits, and automating the above-described and other steps in a proteomics workflow. *See, e.g.*, Ex. 40.

91. The Nanomics G1 Pro Proteome Workstation and ProteonanoTM Plasma Proteomics Enrich Kit are representative of the Accused Products, as each of the Nanomics’ workstations provides the same or similar features of the G1 Pro Proteome Workstation of automating proteomics workflows, and each of the Nanomics’ assay kits provides the same or similar features of components to be used in said workflows.

92. Nanomics’ direct infringement includes, for example on information and belief, the assembly and use of the Accused Products by one or more Nanomics’ executives at the University of Chicago.

ii. Nanomics Indirectly Infringes the Asserted Patents

93. Nanomics actively induces others, such as its distributors, partners, agents, affiliates, importers, resellers, customers, retailers, laboratories, scientists, researchers, and/or end users (none of whom are licensed by Seer or BWH), to purchase and use the Accused Products after importation such that they or others directly infringe the Asserted Claims of the Asserted Patents.

94. For example, as discussed above, Nanomics provides instructions, papers, videos, and other materials on operating the Accused Products that direct, teach, encourage, or assist others to infringe the Asserted Patents.

95. The acts induced by Nanomics in the United States constitute direct infringement. For example, the attached infringement charts, Exs. 11-15, illustrate how the assembly and use of the Accused Products as instructed by Nanomics' instructions, papers, videos, and other materials constitutes direct infringement. On information and belief, others in the United States have so infringed pursuant to Nanomics' inducement. *See, e.g.,* Section VI, *infra* (regarding Nanomics' laboratory customers and use of the Accused Products in the United States).

96. Nanomics has committed this inducement with the knowledge of the Asserted Patents and knowledge that the induced acts constitute infringement thereof. As alleged in paragraphs 77-80, *supra*, Nanomics has actively monitored Seer, its products embodying the Asserted Patents, and, on information and belief, has had actual and/or constructive knowledge of the existence of the Asserted Patents and its infringement thereof by or shortly after each of their issue dates. At a minimum, Nanomics has been aware of the Asserted Patents and that the induced acts constitute infringement since May 15, 2026, when Complainants served a district court complaint on Nanomics alleging indirect infringement of each of the Asserted Patents by Nanomics. *See Seer, Inc. v. Nanomics Biotechnology Co., Ltd.*, Case No. 1:26-cv-05498 (N.D. Ill. May 19, 2026), Dkt. 8.

97. Nanomics also contributorily infringes certain Asserted Claims through importing into the United States, selling for importation, and/or selling within the United States after importation components of the Accused Products that constitute a material part of the Asserted Claims, knowing the same to be especially made or especially adapted for use in an infringement of the Asserted Patents, and not a staple article or commodity of commerce suitable for substantial non-infringing use. For example, certain components of the Accused Products, including the "low-abundance protein enrichment magnetic nanobeads," are specifically designed for use,

individually and in combination with other components of the Nanomics Assay Kits and/or the Proteonano™ Workstations, in a manner that infringes the Asserted Claims. Components of the Accused Products, such as the “low-abundance protein enrichment magnetic nanobeads,” do not have any substantial non-infringing uses. As discussed above, Nanomics has done so with knowledge of the Asserted Patents and its infringement thereof.

B. Infringement of the '360 Patent

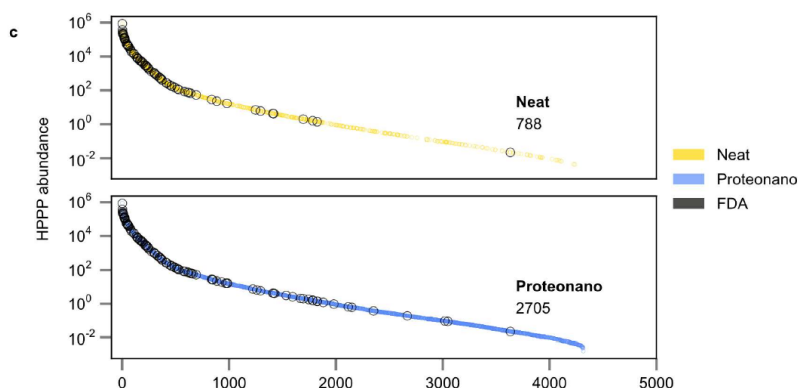
98. On information and belief, Nanomics imports, sells for importation, and/or sells within the United States after importation the Accused Products, which directly infringe, literally and/or under the doctrine of equivalents, claims of the '360 Patent in violation of 35 U.S.C. § 271(a). The Accused Products infringe one or more of dependent claims 2-3, 5, 7-13, 15-16, 23-24, 26-27 of the '360 Patent. The Accused Products satisfy all asserted claim limitations of the '360 Patent, and importation of them into and/or sale or use within the United States infringes the asserted claims of the '360 Patent.

99. The use of the Accused Products meets every limitation of at least claim 3 of the '360 patent. Nanomics' process for assaying a biological sample includes contacting the biological sample with a plurality of particles comprising different particle types to permit biomolecules of the biological sample to bind to the plurality of particles and form coronas around the plurality of particles. For example, and not by limitation, Nanomics' process uses a 96 well-plate in which the nanoparticles are incubated with the biological samples to form coronas. Ex. 28 at 7 (Nanomics' G1 workstation “includes a heater-shaker module for nanoparticle-plasma incubation” and “a magnetic module for protein corona separation”). Nanomics' PUP platform is meant to enable “[p]rotein enrichment by nano-bio interaction” to “selectively capture low abundant proteins in biological samples” in part by forming coronas. *See* Ex. 25 at 3; *see also* Ex. 28 at 7.

100. In the Nanomics' process, the coronas correspond to the different particle types that (i) differ based on particle type, and (ii) comprise overlapping and distinct proteins. For example, and not by limitation, a Nanomics publication describing the Accused Technology explains that the "Proteonano™ Kit is composed of AI-designed polypeptides to selectively bind and enrich low abundance proteins (LAPs) in biofluid samples with high specificity and sensitivity." Ex. 27 at 8; Ex. 29. *See also* Ex. 28 ("the PUP Platform achieved cutting-edge deep plasma proteome coverage and data quality by effectively combining multiple nanoparticles into a single, uniform reagent").

101. Nanomics process also involves separating at least a subset of the plurality of particles comprising the coronas from the biological sample by removing the subset of the plurality of particles thereby producing a subset of proteins from the biological sample. For example, and not by way of limitation, the Nanomics' G1 workstation includes "a magnetic module for protein corona separation." Ex. 28 at 7.

102. Nanomics process also involves assaying the subset of proteins of (b) with a MS instrument to detect, in the subset, proteins in the biological sample at concentrations across a dynamic range comprising at least 6 orders of magnitude, thereby assaying the biological sample. For example, and not by way of limitation, Wu reported "the Proteonano workflow detected 123 FDA-cleared circulating plasma biomarkers spanning eight orders of magnitude from a single pooled plasma sample, markedly outperforming the neat plasma pipeline." *Id.*; *see also* Fig. 4c below.



“For peptide identification, the platform incorporates three high-resolution mass spectrometers—Orbitrap 480, Astral instruments (ThermoFisher Scientific), and timsTOF Pro 2 (Bruker Corporation)”; “demonstrated exceptional capability for deep proteomic analysis of low-input plasma samples, achieving extensive proteome coverage, high throughput, a dynamic range spanning nine orders of magnitude[]”. *Id.* at 7, 28.

103. Furthermore, the particles used in the Nanomics process are iron oxide particles. For example, and not by way of limitation, a Nanomics publication explains regarding the nanoparticles in the Accused Technology that “[t]he core layer consists of superparamagnetic Fe₃O₄ nanoparticles with a uniform diameter of 200 nm” (*see id.* at 12), and that “[t]he magnetic Fe₃O₄ particles were prepared according to a solvothermal approach,” *id.* at 33. *See also* Ex. 27 at 29 (“Here we provide three representative MMNPs, namely, Fe₃O₄@Au-PP1, Fe₃O₄@Au-PP2 and Fe₃O₄@Au-PP3.... One can see that the Fe₃O₄ nanoparticles have the relatively coarse surface and regular spherical shape with an average size of 200 nm. After modified with peptides, as shown in Figure S1E, the particle size increased to around 300 nm.”).

104. Nanomics has actively induced and continues to induce distributors, partners, agents, affiliates, importers, resellers, customers, retailers, laboratories, scientists, researchers, and/or end users to directly infringe the ’360 Patent in violation of 35 U.S.C. § 271(b) by, among other things, disseminating, manufacturing, distributing, importing, and/or maintaining the

Accused Products, and/or instructing users of the Accused Products to use in infringing manner with knowledge and specific intent to cause that infringement as shown in Exhibit 11. For example, and not by limitation, Nanomics offers Proteonano™ G1 Pro Proteomics Workstation as well as the Proteonano™ Plasma Proteome Enrichment Kit on its website for commercial sale, along with an Operational Manual for the Proteonano™ Enrichment Kits.

105. Nanomics contributes to the direct infringement of the asserted claims of the '360 Patent under 35 U.S.C. § 271(c) by supplying, with knowledge of the '360 patent, a component of a patented combination and/or an apparatus for use in practicing a patented process. The Accused Products are especially made for infringing use, and Nanomics distributed them with the knowledge that such use is infringing, and with the knowledge that the Accused Products are part of such infringing uses. Additionally, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

106. A claim chart comparing the asserted claims of the '360 Patent to the Accused Products, and including images and drawings where applicable, is attached as Exhibit 11.

C. Infringement of the '112 Patent

107. On information and belief, Nanomics imports, sells for importation, and/or sells within the United States after importation the Accused Products, which directly infringe, literally and/or under the doctrine of equivalents, at least one independent claim of the '112 Patent in violation of 35 U.S.C. § 271(a). The Accused Products infringe one or more of dependent claims 2-8, 12-19, 21 of the '112 Patent. The Accused Products satisfy all asserted claim limitations of the '112 Patent, and importation of them into and/or sale or use within the United States infringes the asserted claims of the '112 Patent.

108. The use of the Accused Products meets every limitation of at least claim 1 of the '112 patent. For example, and not by limitation, the Proteonano™ Enrichment Kits include a

plurality of magnetic particles having surfaces with different physiochemical properties, including PP1, PP2, and PP3 particles. *See* Ex. 29 at 2:

1. Proteonano nanoparticles

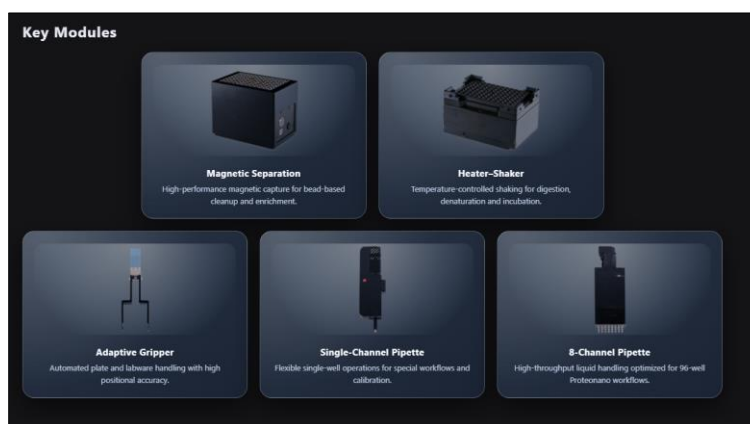
The Proteonano Enrich Kit is composed of hierarchically structured nanoparticles functionalized with peptides (PCNPs). The physicochemical properties of three peptides used in this work are shown in Supplemental Table 1.

Supplemental Table 1. The physicochemical properties of three peptides

Name	Sequence	Length	M _w	Isoelectric Point	Charge (mV)	Hydrophobicity	GRAVY
PP1	HKAATKIQASFRGHIT RKKLC	21	2,395	11.73	0.30	38%	-0.65
PP2	DIEEVEVRSKYFKKNE RTVEC	21	2,602	4.90	-1.04	62%	-1.22
PP3	QETLKDTRSKFFNKPS MTVVC	21	2,460	9.73	1.95	48%	-0.63

See also Ex. 27 at 29 (“Here we provide three representative MMNPs, namely, Fe₃O₄@Au-PP1, Fe₃O₄@Au-PP2 and Fe₃O₄@Au-PP3”); Ex. 28 (“the PUP Platform achieved cutting-edge deep plasma proteome coverage and data quality by effectively combining multiple nanoparticles into a single, uniform reagent”).

109. By way of further example, and not by limitation, the Proteonano™ Workstations include a “8-Channel Pipette” which is described as a “High-throughput liquid handling optimized for 96-well Proteonano workflows.” Ex. 28.



110. Videos on Nanomics’ website further demonstrate the multichannel fluid handler transferring fluid between units within the system, including for example by pipetting a mixture

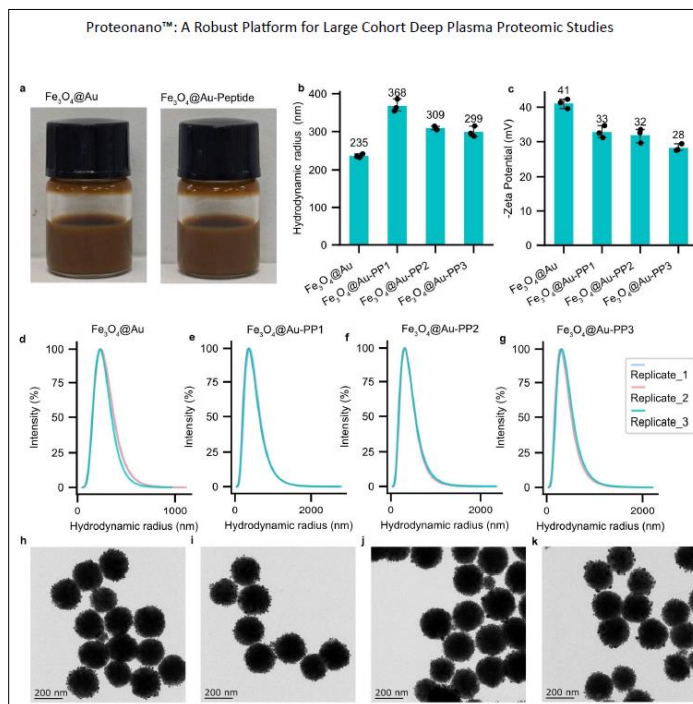
of nanoparticles in a singular long well, transferring the nanoparticle mixture from the well to the magnetic module GEN1, and injecting the nanoparticle mixture onto the 96-well plate on top of the magnetic module GEN1.



See Ex. 40.

111. Additionally, the Proteonano™ Enrichment Kits' magnetic particles are configured to bind to at least 300 different proteins. For example, a Nanomics publication describes that from

a sample of pooled plasma, mass spectrometers identified “ $2,987 \pm 12$ protein groups (AVG $\pm$ SE, n=3) at 180SPD and $3,817 \pm 4$ protein groups (AVG $\pm$ SE, n=3) at 100SPD.” Ex. 28 at 16. *See also id.* at 10.



112. Nanomics has actively induced and continues to induce distributors, partners, agents, affiliates, importers, resellers, customers, retailers, laboratories, scientists, researchers, and/or end users to directly infringe the '112 Patent in violation of 35 U.S.C. § 271(b) by, among other things, disseminating, manufacturing, distributing, importing, and/or maintaining the Accused Products, and/or instructing users of the Accused Products to use in infringing manner with knowledge and specific intent to cause that infringement as shown in Exhibit 12. For example, and not by limitation, Nanomics offers Proteonano™ G1 Pro Proteomics Workstation as well as the Proteonano™ Plasma Proteome Enrichment Kit on its website for commercial sale, along with an Operational Manual for the Proteonano™ Enrichment Kits.

113. Nanomics contributes to the direct infringement of the asserted claims of the '112 Patent under 35 U.S.C. § 271(c) by supplying, with knowledge of the '112 Patent, a component of a patented combination and/or an apparatus for use in practicing a patented process. The Accused Products are especially made for infringing use, and Nanomics distributed them with the knowledge that such use is infringing, and with the knowledge that the Accused Products are part of such infringing uses. Additionally, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

114. A claim chart comparing the asserted claims of the '112 Patent to the Accused Products, and including images and drawings where applicable, is attached as Exhibit 12.

D. Infringement of the '222 Patent

115. On information and belief, Nanomics imports, sells for importation, and/or sells within the United States after importation the Accused Products, which directly infringe, literally and/or under the doctrine of equivalents, at least one independent claim of the '222 Patent in violation of 35 U.S.C. § 271(a). The Accused Products satisfy all asserted claim limitations of the '222 Patent, and importation of them into and/or sale or use within the United States infringes the asserted claims of the '222 Patent.

116. The use of the Accused Products meets every limitation of at least claim 16 of the '222 patent. For example, and not by limitation, the ProteonanoTM Enrichment Kits include a plurality of magnetic particles having surfaces with different physiochemical properties, including PP1, PP2, and PP3 particles. *See* Ex. 29 at 2:

1. Proteonano nanoparticles

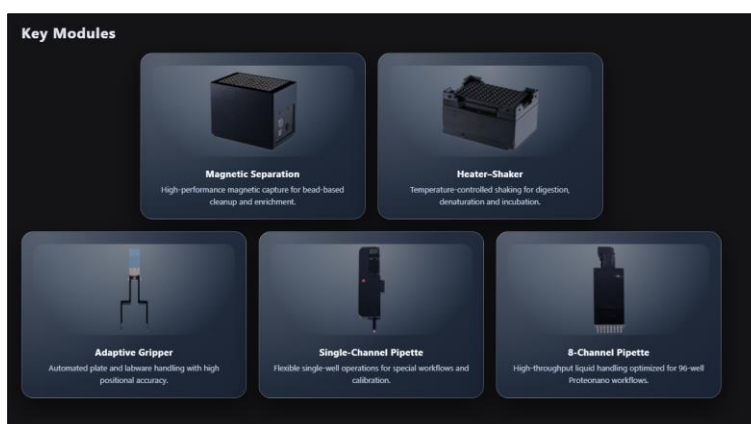
The Proteonano Enrich Kit is composed of hierarchically structured nanoparticles functionalized with peptides (PCNPs). The physicochemical properties of three peptides used in this work are shown in Supplemental Table 1.

Supplemental Table 1. The physicochemical properties of three peptides

Name	Sequence	Length	M _w	Isoelectric Point	Charge (mV)	Hydrophobicity	GRAVY
PP1	HKAATKIQASFRGHIT RKKLC	21	2,395	11.73	0.30	38%	-0.65
PP2	DIEEVEVRSKYFKKNE RTVEC	21	2,602	4.90	-1.04	62%	-1.22
PP3	QETLKDTRSKFFNKPS MTVVC	21	2,460	9.73	1.95	48%	-0.63

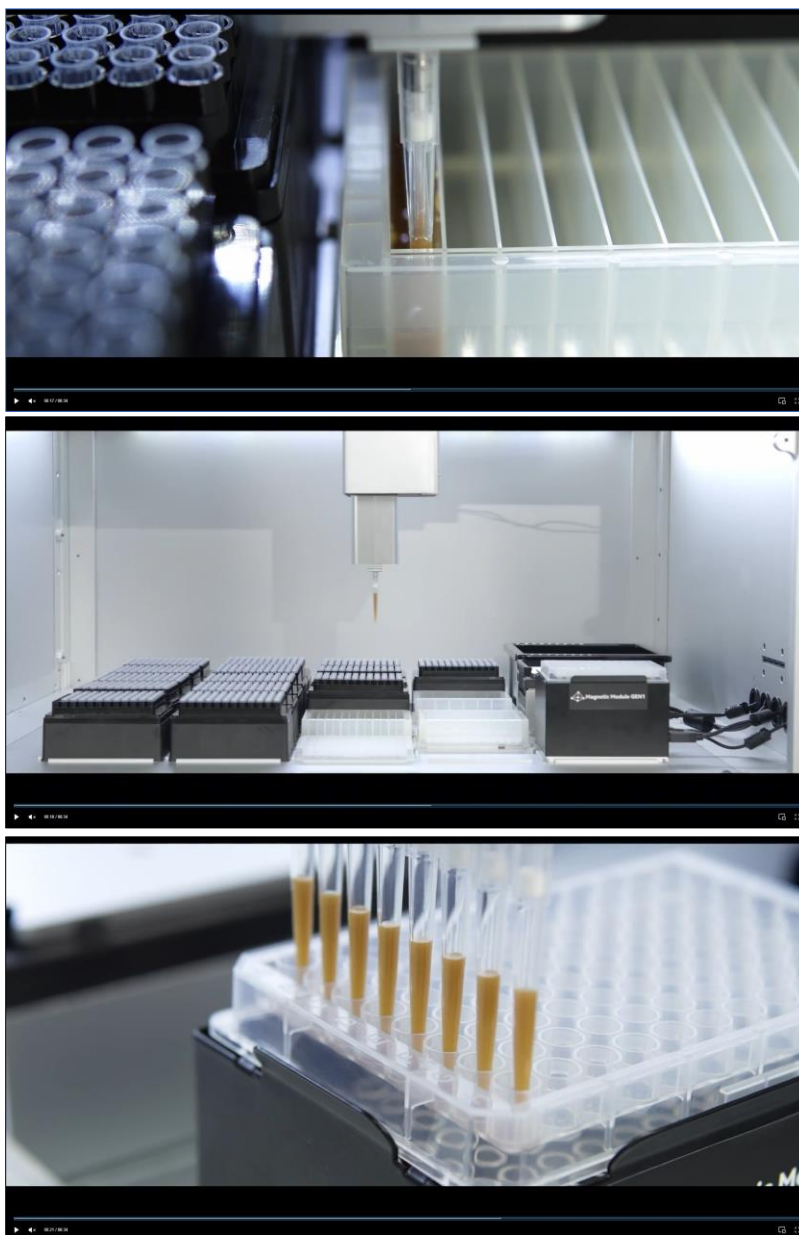
See also Ex. 27 at 29 (“Here we provide three representative MMNPs, namely, Fe₃O₄@Au-PP1, Fe₃O₄@Au-PP2 and Fe₃O₄@Au-PP3”); Ex. 28 (“the PUP Platform achieved cutting-edge deep plasma proteome coverage and data quality by effectively combining multiple nanoparticles into a single, uniform reagent”).

117. By way of further example, and not by limitation, the Proteonano™ Workstations include a “8-Channel Pipette” which is described as a “High-throughput liquid handling optimized for 96-well Proteonano workflows.” Ex. 30.



118. Videos on Nanomics’ website further demonstrate the multichannel fluid handler transferring fluid between units within the system, including for example by pipetting a mixture of nanoparticles in a singular long well, transferring the nanoparticle mixture from the well to the

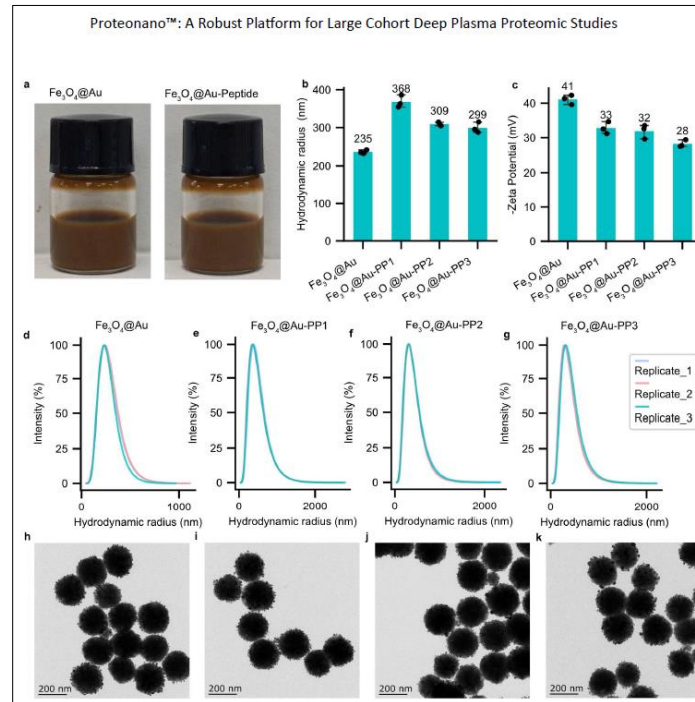
magnetic module GEN1, and injecting the nanoparticle mixture onto the 96-well plate on top of the magnetic module GEN1.



See Ex. 40.

119. Additionally, the Proteonano™ Enrichment Kits contain multiple particle types that each bind a population of analytes within the biological sample, wherein the plurality of magnetic particles are configured to bind to at least 300 different proteins. For example, a Nanomics

publication describes that from a sample of pooled plasma, mass spectrometers identified “2,987 $\pm$ 12 protein groups (AVG $\pm$ SE, n=3) at 180SPD and 3,817 $\pm$ 4 protein groups (AVG $\pm$ SE, n=3) at 100SPD.” Ex. 28 at 16; *see also id.* at 10:



See also id. at 29 (“the PUP Platform achieved cutting-edge deep plasma proteome coverage and data quality by effectively combining multiple nanoparticles into a single, uniform reagent”).

120. Nanomics has actively induced and continues to induce distributors, partners, agents, affiliates, importers, resellers, customers, retailers, laboratories, scientists, researchers, and/or end users to directly infringe the '222 Patent in violation of 35 U.S.C. § 271(b) by, among other things, disseminating, manufacturing, distributing, importing, and/or maintaining the Accused Products, and/or instructing users of the Accused Products to use in infringing manner with knowledge and specific intent to cause that infringement as shown in Exhibit 13. For example, and not by limitation, Nanomics offers Proteonano™ G1 Pro Proteomics Workstation as

well as the Proteonano™ Plasma Proteome Enrichment Kit on its website for commercial sale, along with an Operational Manual for the Proteonano™ Enrichment Kits.

121. Nanomics contributes to the direct infringement of the asserted claims of the '222 Patent under 35 U.S.C. § 271(c) by supplying, with knowledge of the '222 Patent, a component of a patented combination and/or an apparatus for use in practicing a patented process. The Accused Products are especially made for infringing use, and Nanomics distributed them with the knowledge that such use is infringing, and with the knowledge that the Accused Products are part of such infringing uses. Additionally, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

122. A claim chart comparing the asserted claims of the '222 Patent to the Accused Products, and including images and drawings where applicable, is attached as Exhibit 13.

E. Infringement of the '566 Patent

123. On information and belief, Nanomics imports, sells for importation, and/or sells within the United States after importation the Accused Products, which directly infringe, literally and/or under the doctrine of equivalents, at least one independent claim of the '566 Patent in violation of 35 U.S.C. § 271(a). The Accused Products infringe one or more of dependent claims 2-10, 19-20 of the '566 Patent. The Accused Products satisfy all asserted claim limitations of the '566 Patent, and importation of them into and/or sale or use within the United States infringes the asserted claims of the '566 Patent.

124. The use of the Accused Products meets every limitation of at least claim 1 of the '566 patent. For example, and not by limitation, the Proteonano™ Enrichment Kits include a plurality of magnetic particles having surfaces with different physiochemical properties, including PP1, PP2, and PP3 particles. *See Ex. 27 at 2:*

1. Proteonano nanoparticles

The Proteonano Enrich Kit is composed of hierarchically structured nanoparticles functionalized with peptides (PCNPs). The physicochemical properties of three peptides used in this work are shown in Supplemental Table 1.

Supplemental Table 1. The physicochemical properties of three peptides

Name	Sequence	Length	M _w	Isoelectric Point	Charge (mV)	Hydrophobicity	GRAVY
PP1	HKAATKIQASFRGHIT RKKLC	21	2,395	11.73	0.30	38%	-0.65
PP2	DIEEVEVRSKYFKKNE RTVEC	21	2,602	4.90	-1.04	62%	-1.22
PP3	QETLKDTRSKFFNKPS MTVVC	21	2,460	9.73	1.95	48%	-0.63

See also Ex. 27 at 29 (“Here we provide three representative MMNPs, namely, Fe₃O₄@Au-PP1, Fe₃O₄@Au-PP2 and Fe₃O₄@Au-PP3”); Ex. 28 at 29 (“the PUP Platform achieved cutting-edge deep plasma proteome coverage and data quality by effectively combining multiple nanoparticles into a single, uniform reagent”).

125. By way of further example, and not by limitation, the Accused Products use biological fluid, *i.e.*, plasma, from a subject in a disease state. See, *e.g.*, Ex. 28 at 23 (“183 plasma samples were collected from the Hubei Memory and Aging cohort Study (HAMCS)..., which included two tests for global cognitive function.... In this experiment, a total of 195 plasma samples (Control: n = 125; Cognitive decline n = 58; QC: n = 12) were processed in six batches using the Proteonano workflow.”).

126. Nanomics has actively induced and continues to induce distributors, partners, agents, affiliates, importers, resellers, customers, retailers, laboratories, scientists, researchers, and/or end users to directly infringe the ’566 Patent in violation of 35 U.S.C. § 271(b) by, among other things, disseminating, manufacturing, distributing, importing, and/or maintaining the Accused Products, and/or instructing users of the Accused Products to use in infringing manner with knowledge and specific intent to cause that infringement as shown in Exhibit 14. For

example, and not by limitation, Nanomics offers Proteonano™ G1 Pro Proteomics Workstation as well as the Proteonano™ Plasma Proteome Enrichment Kit on its website for commercial sale, along with an Operational Manual for the Proteonano™ Enrichment Kits

127. Nanomics contributes to the direct infringement of the asserted claims of the '566 Patent under 35 U.S.C. § 271(c) by supplying, with knowledge of the '566 patent, a component of a patented combination and/or an apparatus for use in practicing a patented process. The Accused Products are especially made for infringing use, and Nanomics distributed them with the knowledge that such use is infringing, and with the knowledge that the Accused Products are part of such infringing uses. Additionally, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

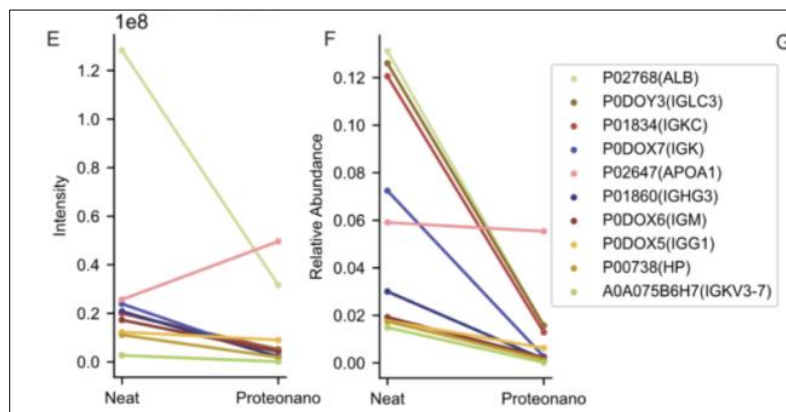
128. A claim chart comparing the asserted claims of the '566 Patent to the Accused Products, and including images and drawings where applicable, is attached as Exhibit 14.

F. Infringement of the '948 Patent

129. On information and belief, Nanomics imports, sells for importation, and/or sells within the United States after importation the Accused Products, which directly infringe, literally and/or under the doctrine of equivalents, at least one independent claim of the '948 Patent in violation of 35 U.S.C. § 271(a). The Accused Products satisfy all asserted claim limitations of the '948 Patent, and importation of them into and/or sale or use within the United States infringes the asserted claims of the '948 Patent.

130. The use of the Accused Products meets every limitation of at least claim 1 of the '948 patent. For example, and not by limitation, each of the Proteonano™ Workstations is a “sample preparation device” that practices the claim limitations through its use of “a heater-shaker module for nanoparticle-plasma incubation, a magnetic module for protein corona separation, and an 8-channel liquid handler for parallel pipetting.” Ex. 28 at 7.

131. By way of further example, and not by limitation, the PUP Platform depletes highly abundant proteins present in a biological sample at a concentration of at least 10 $\mu\text{g/mL}$. Indeed, Nanomics published an article with a figure illustrating how albumin decreases in relative abundance in the PUP Platform to a concentration of 35-50 $\mu\text{g/mL}$.

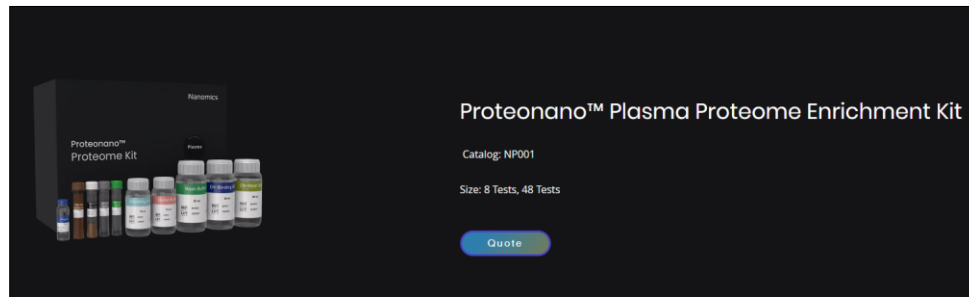


See Ex. 27 at Fig. 4E-F.

132. Nanomics has actively induced and continues to induce distributors, partners, agents, affiliates, importers, resellers, customers, retailers, laboratories, scientists, researchers, and/or end users to directly infringe the '948 Patent in violation of 35 U.S.C. § 271(b) by, among other things, disseminating, manufacturing, distributing, importing, and/or maintaining the Accused Products, and/or instructing users of the Accused Products to use in infringing manner with knowledge and specific intent to cause that infringement as shown in Exhibit 15. For example, and not by limitation, Nanomics offers Proteonano™ G1 Pro Proteomics Workstation as well as the Proteonano™ Plasma Proteome Enrichment Kit on its website for commercial sale, along with an Operational Manual for the Proteonano™ Enrichment Kits:



See Ex. 18.



See Ex. 19.



5. Important Preparation Steps

The performance of the Proteonano™ Plasma Proteome Enrich Kit is dependent on the maintenance and set up for LC-MS/MS, and proper execution of experimental steps outlined in Sections below. Thus, it is critical to use Proteonano™'s quality control system (QCS) to test the performance of LC-MS/MS setup and familiarize with experimental procedures before performing proteomic experiments using experimental samples.

See Ex. 20 at 1, 3.

133. Nanomics contributes to the direct infringement of the asserted claims of the '948 Patent under 35 U.S.C. § 271(c) by supplying, with knowledge of the '948 patent, a component of a patented combination and/or an apparatus for use in practicing a patented process. The Accused Products are especially made for infringing use, and Nanomics distributed them with the knowledge that such use is infringing, and with the knowledge that the Accused Products are part of such infringing uses. Additionally, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

134. A claim chart comparing the asserted claims of the '948 Patent to the Accused Products, and including images and drawings where applicable, is attached as Exhibit 15.

VI. SPECIFIC INSTANCES OF IMPORTATION AND SALE

135. On information and belief, the Proposed Respondent imports, sells for importation, and/or sells within the United States after importation the Accused Products, that infringe, or are used to infringe, at least one valid and enforceable claim of the Asserted Patents.

136. Pursuant to Commission Rule 201.12(a)(3), the following evidence establishes that the Proposed Respondent imports, sells for importation, and/or sells within the United States after importation the following representative infringing proteome analysis instruments, assay kits and software for same. The specific instances of importation, sale for importation, and/or sale after importation of infringing products are illustrative and non-exhaustive examples of the Proposed Respondent's unlawful importation and/or sale of infringing products.

137. On information and belief, the Proposed Respondent sells (1) nanoparticle kits for use in proteomics, such as Proteonano™ Kits, and (2) instruments for automated running of assays that use the nanoparticle kits, including the Nanomics G1 Basic Proteome Workstation and Nanomics G1 Pro Proteome Workstation. *See* Ex. 17C, ¶¶ 9-10 (Declaration of J. Hwang Regarding Importation "Importation Declaration"). In particular, at least the Proposed Respondent's

Proteonano™ Kits products are priced in U.S. dollars. Ex. 17C at Ex. G (Nanomics' pricing information for Proteonano™ Kits).

138. On information and belief, the following proteome analysis instruments and assay kits are manufactured outside the United States and sold for importation into the United States, imported into the United States, and/or sold within the United States after importation under the Nanomics name: the G1 Basic Workstation, the G1 Pro Workstation, the EV Purification Workstation, the Protein Purification Workstation, Proteonano™ SP3 Proteome Extract Kit, the Proteonano™ Plasma Proteome Enrichment Kit, the Proteonano™ EV Proteome Enrichment Kit, the Proteonano™ Mouse Plasma Proteome Enrichment Kit, the Proteonano™ CSF Proteome Enrichment Kit, the Proteonano™ Urine Proteome Enrichment Kit, the Proteonano™ Saliva Proteome Enrichment Kit, and the Proteonano™ HT Assay. *See* Ex. 17C, ¶¶ 7-11.

139. On information and belief, products sold under the brand Nanomics are manufactured by and/or imported for sale by Proposed Respondent Nanomics. *See* Ex. 17C at Exs. EE-FF.

140. On information and belief, Nanomics manufactures or has manufactured the Accused Products abroad, in China. For example, the label in a photo for a “Proteonano™ Plasma Proteome Enrich Kit” submitted to the U.S. Patent and Trademark Office indicates the manufacturer is “Nanomics Biotechnology Co. Ltd.” with a Chinese address. *See* Ex. 41 at 17; *see also* Ex. 20 at 8 (kit instructions explaining black factory symbol indicates manufacturer); Ex. 17C at Exs. EE-FF.

141. For example, Nanomics' Chinese-language website, nanomics.bio, indicates that it has exported its products from China to other countries, including the United States:

One year after its product launch, *the Proteonano Low Abundance Protein Enrichment Kit* has been adopted by more than 100 universities, top-tier hospitals,

and research institutes both domestically and internationally, and *has also been exported overseas*, including to the world’s top 10 universities and institutions *such as the Pacific Northwest Laboratory in the United States*.

Ex. 42 (emphasis added); *see also* Exhibit 17C, ¶ 20 (Importation Declaration).

142. As another example, the same Chinese-language website indicates Nanomics has customers in the United States implementing the “Proteonano™ platform,” which includes the

Accused Products:

As of 2025, *our customers* are located in many countries and regions, including Germany, Australia, *the United States*, and Japan. The Proteonano™ platform is being implemented and validated in various scientific intelligence systems and application scenarios.

In 2025, we completed 20 Proteonano™ proteomics platforms in Germany, Australia, the United States and other locations, covering the entire process from installation and commissioning to actual operation, allowing Proteonano™ to truly integrate into the daily workflow of AI-native R&D centers.

Ex. 42 (emphasis added); *see also* Ex. 17C, ¶ 21.

143. As yet another example, another page on same Chinese-language website regarding Nanomics’ platform lists “Partners of Enterprise” in the United States, including the University of Buffalo, Harvard Medical School, and the Pacific Northwest Laboratory:



Ex. 43 (Nanomics’ Chinese-language website). On information and belief, the Proposed

Respondent has an office in Chicago and conducts business in Chicago, Maryland, and New York. *See* Ex. 17C, ¶ 18 (Importation Declaration).

144. On information and belief, the Proposed Respondent has imported its Proteonano™ products into the United States for U.S. research institutions, including Washington University in St. Louis and the University of Chicago, to use the products in collaboration with the Proposed Respondent. *Id.*, ¶¶ 22-31 (Importation Declaration). On information and belief, at least Washington University in St. Louis and the University of Chicago delivered research results generated using the Proposed Respondent's Proteonano™ products in the United States. *See id.* (Importation Declaration).

145. On information and belief, the Proposed Respondent has also imported its Proteonano™ products into the United States to showcase the products in conferences and trade shows. *See id.*, ¶¶ 25-38 (Importation Declaration about ASMS 2025, HUPO 2026, and ASMS 2026); *see also* Ex. 38; Ex. 44 (Company news article showing photos of the Proteonano™ Kits at ASMS 2025).

146. Moreover, on information and belief, the Proposed Respondent has imported, sold for importation, and/or sold within the United States after importation its infringing products, including Nanomation G1 Basic and Proteonano™ Plasma Proteome Enrich Kit, that infringe the Asserted Patents through at least one U.S. distributor, Amerigo Scientific. *See* Ex. 17C, ¶¶ 36-38 (Importation Declaration). Amerigo Scientific has a principal place of business in Hauppauge, NY, and lists the Proposed Respondent's Proteonano™ products for sale on its website. *Id.*, ¶ 37 (Importation Declaration). Based on Amerigo Scientific's shipping pricing, the products listed on Amerigo Scientific's website are being shipped from within the United States. *See* Ex. 45 (explaining that the delivery fee for regions outside the United States costs 50% more).

147. Nanomics also maintains an English-language website, nanomics.ai, that advertises the Accused Products and touts that Nanomics has a “US Director.” *See* Ex. 17C, ¶ 6. Notably, this English-language website does not appear to include equivalent sections to those cited above indicating Nanomics has already imported its products into the United States. *See, e.g.*, Ex. 43 (Nanomics’ Chinese-language website).

148. As another example, a LinkedIn post by Nanomics’ CEO indicates that at least the accused Proteonano™ Proteome Kits were provided to and used at the University of Chicago in the United States. Ex. 46; *see also* Ex. 17C, ¶¶ 25-31.

149. Further, Nanomics filed an application on May 1, 2025 with the U.S. Patent and Trademark office to register the mark “PROTEONANO” that is used on the Accused Products. *See* Ex. 41. The application indicated the mark had been “use[d] in commerce” under U.S. trademark law at “least as early as 06/02/2024.” *Id.* at 2. The declaration similarly attested that the application was “based on *use* in commerce under” U.S. trademark law, not “*intent* to use.” *Id.* at 3 (emphasis added).

VII. THE DOMESTIC INDUSTRY

150. A domestic industry exists in the United States as defined under 19 U.S.C. § 1337(a)(2) and (3), as a result of Seer’s continuing significant investment in plant and equipment, significant employment of labor and capital, and substantial investment in exploitation, including engineering, research, and development, with respect to articles protected by the Asserted Patents.

A. Technical Prong: Seer’s Practice of the Asserted Patents

151. Seer makes significant and substantial investments in plant and equipment, labor and capital, and engineering, research, and development with respect to products that practice one or more claims of the Asserted Patents (the “Domestic Industry Products”), including Seer Proteograph® XT and Proteograph® ONE Assay kits, and the SP100 and SP200 Automation

Instruments

152. Confidential Exhibits 49C through 53C are claim charts demonstrating that the Domestic Industry Products practice the Asserted Patents. The following table identifies the exemplary Domestic Industry Product with the corresponding practiced Asserted Patent and exemplary practiced claims.

Asserted Patent	Exemplary Domestic Industry Product	Exemplary Practiced Claims
U.S. Patent No. 11,435,360	Seer Proteograph [®] XT Assay kit with SP100 Instrument	2, 3, 5, 7-16, 18-21, 23, 24, 26-29
U.S. Patent No. 11,630,112	Seer Proteograph [®] XT Assay kit with SP100 Automation Instrument	1-9, 11-18, 22
U.S. Patent No. 12,050,222	Seer Proteograph [®] XT Assay kit with SP100 Automation Instrument	15, 16, 18-26, 30
U.S. Patent No. 12,228,566	Seer Proteograph [®] XT Assay kit and/or Seer Proteograph [®] ONE Assay kit with SP100 Automation Instrument and/or Seer Proteograph [®] ONE Assay kit with SP200 Automation Instrument	1-11, 16-20
U.S. Patent No. 12,590,948	Seer Proteograph [®] ONE Assay kit with SP200 Automation Instrument	1, 2

Table 3: Claims Practiced by the Domestic Industry Products

153. An exemplary claim chart showing how the Domestic Industry Products practice exemplary claims of the '360 Patent is attached as Confidential Exhibit 49C. This claim chart provides a basis for the technical domestic industry relating to the '360 Patent.

154. An exemplary claim chart showing how the Domestic Industry Products practice exemplary claims of the '112 Patent is attached as Confidential Exhibit 50C. This claim chart provides a basis for the technical domestic industry relating to the '112 Patent.

155. An exemplary claim chart showing how the Domestic Industry Products practice exemplary claims of the '222 Patent is attached as Confidential Exhibit 51C. This claim chart provides a basis for the technical domestic industry relating to the '222 Patent.

156. An exemplary claim chart showing how the Domestic Industry Products practice exemplary claims of the '566 Patent is attached as Confidential Exhibit 52C. This claim chart provides a basis for the technical domestic industry relating to the '566 Patent.

157. An exemplary claim chart showing how the Domestic Industry Products practice exemplary claims of the '948 Patent is attached as Confidential Exhibit 53C. This claim chart provides a basis for the technical domestic industry relating to the '948 Patent.

B. Economic Prong: Seer's Activities and Investments

158. Seer engages in a broad range of qualifying domestic industry activities in the United States directed to the Domestic Industry Products protected by the Asserted Patents.

159. Seer has made and continues to make significant investments in labor and capital with respect to the Domestic Industry Products. Those investments in labor and capital are dedicated to research, development, design, engineering, product support, manufacturing, manufacturing support, software development, testing, sales and marketing, and various customer support activities focused on the Domestic Industry Products.

160. Seer further engages in exploitation of the Asserted Patents through its substantial domestic investments in engineering and research and development activities directed to the Domestic Industry Products that is protected by the Asserted Patents. These activities include, *inter alia*, engineering, research and development, and design tied to the claimed technology embodied in the Domestic Industry Products. These activities have occurred in the past and are ongoing with respect to future versions of Seer products currently under development.



Seer's Facility in Redwood City

161. Seer was founded in California in 2017 with the explicit purpose of developing and commercializing the technology claimed by the Asserted Patents. Since its founding, Seer's technical activities directed to the Domestic Industry Products have taken place primarily at its Redwood City, California facility. Seer also has a smaller second facility in San Diego, CA, which is used primarily for operations and a limited amount of research and development.





Seer's Proteograph® Lab in Redwood City

162. Seer's investments and activities are significant and substantial both in absolute terms and relative to Seer's overall operations, taking into account the nature of such expenditures in the biotech research industry in general, Seer's relative size, and the relative importance of Seer's domestic operations compared to its limited activities overseas.





Seer's Mass Spectrometry Room in Redwood City

163. Seer's investments and activities are important to the Domestic Industry Products and represent significant domestic added value, particularly as the protected articles are designed, developed, and produced domestically. Moreover, Seer's investments and activities are significant and substantial in the context of comparable products, the company's overall investments, and the relevant marketplace.

164. Seer's foreign product-related investments and activities related to the Domestic Industry Products, by contrast, are relatively small compared to Seer's domestic activities.

165. The activities and investments described above are explained in detail in the confidential Declaration of David Horn Regarding Domestic Industry, attached as Exhibit 48C.

VIII. HARMONIZED TARIFF SCHEDULE ITEM NUMBERS

166. The Accused Products are classified under at least the following classifications of the Harmonized Tariff Schedule of the United States: 3822.19.000 and 8479.50.00. These HTS identifications are illustrative and not exhaustive. These classifications are exemplary in nature, are intended for illustration only, and are not intended to restrict the scope of the Accused Products, the investigation, any exclusion order, or any of the requested relief.

IX. RELATED LITIGATION

167. Pursuant to 19 CFR § 210.12(a)(5), Complainants state that as of the date of the filing of this Complaint, the alleged infringement of the Asserted Patents has been the subject of the following court or agency litigation, or arbitration: On October 7, 2024, Preomics GmbH and Biognosys AG (who are neither Complainants nor Respondents in the requested Investigation) filed a petition for *inter partes* review of certain claims of the '360 Patent. *Preomics GMBH and Biognosis AG v. The Brigham and Women's Hospital, Inc.*, IPR2024-01473. On March 23, 2026, the Patent Trial and Appeal Board issued a final written decision upholding the patentability of each of claims 2, 3, 7, 23, and 24 of the '360 Patent. *Id.*, Paper 38 at 47 (March 23, 2026). Claims 5, 8-13, 15-16, and 26-27 were not challenged. *Id.* Each of the foregoing claims is asserted in this Complaint. None of claims 1, 4, 6, 17, 22, or 25, which were found unpatentable, is asserted herein.

168. On May 12, 2026, Complainants filed a patent litigation action against Nanomics in the United States District Court for the Northern District of Illinois, asserting at least one claim of each of the Asserted Patents. *See Seer, Inc. v. Nanomics Biotechnology Co., Ltd.*, Case No. 1:26-cv-05498 (N.D. Ill.). Complainants effected service of the summons in that action on May 15, 2026, and Nanomics' deadline to answer or otherwise respond to the complaint is currently June 5, 2026.

169. To Complainants' knowledge, the Asserted Patents are not and have not been the subject of any current or prior litigation other than the litigation specified above.

X. RELIEF REQUESTED

WHEREFORE, by reason of the foregoing, Complainants respectfully request that the United States International Trade Commission:

- (a) institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to the Proposed Respondent's violations

of that section based on the importation into the United States, sale for importation, and/or the sale within the United States after importation of the Proposed Respondent's infringing products;

- (c) schedule and conduct a hearing pursuant to 19 U.S.C. § 1337(c) for the purposes of receiving evidence and hearing argument concerning whether there has been a violation of Section 337, and following the hearing, to determine that there has been a violation of Section 337;
- (d) issue a limited exclusion order pursuant to 19 U.S.C. § 1337(d) forbidding entry into the United States of the Proposed Respondent's products that infringe one or more claims of United States Patent Nos. 11,435,360; 11,630,112; 12,050,222; 12,228,566; and 12,590,948;
- (f) issue a cease and desist order, pursuant to 19 U.S.C. § 1337(f), prohibiting the Proposed Respondent, their domestic subsidiaries, and their related companies and agents from engaging in the importation, sale for importation, marketing, distribution, offering for sale, the sale after importation of, or otherwise transferring within the United States products that infringe United States Patent Nos. 11,435,360; 11,630,112; 12,050,222; 12,228,566; and 12,590,948;
- (g) impose a bond upon importation and sales of infringing products during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j); and
- (h) issue such other and further relief as the Commission deems just and proper under the law, based upon the facts determined by the investigation and the authority of the Commission.

Dated: May 28, 2026

Respectfully submitted,

/s/ Lauren E. Peterson

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and Women's Hospital, Inc.*

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

In the Matter of

**CERTAIN SYSTEMS, DEVICES,
SOFTWARE, COMPOSITIONS,
CHEMICALS, AND LABORATORY
SUPPLIES FOR STUDYING PROTEINS**

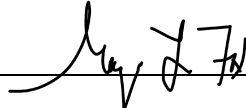
Investigation No. _____

VERIFICATION OF COMPLAINT

I, George Fox, am authorized to execute this verification on behalf of Seer, Inc. and The Brigham and Women's Hospital, Inc. I have read the Complaint and am aware of its contents. To the best of my knowledge, information, and belief and based upon reasonable inquiry under the circumstances, I hereby declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. The allegations contained in the Complaint are well grounded in fact and have evidentiary support, or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery;
2. The claims and other legal contentions set forth in the Complaint are warranted by existing laws or by a good faith, non-frivolous argument for extension, modification, or reversal of existing law, or by the establishment of new law; and
3. The Complaint is not being filed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

Executed on May 28, 2026, at Redwood City, California.



George L. Fox, Ph.D., J.D.
VP, Legal
Seer, Inc.