

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ALNYLAM PHARMACEUTICALS, )  
INC., )

Plaintiff, )

v. )

MODERNA, INC., MODERNATX, )  
INC., and MODERNA US, INC., )

Defendants. )

C.A. No. 23-cv-580-CFC

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~~**PROPOSED**~~ **FINAL JUDGMENT**

Pursuant to and for the reasons set forth in Plaintiff Alnylam Pharmaceuticals, Inc. (“Alnylam”) and Defendants Moderna, Inc., ModernaTX, Inc., and Moderna US, Inc.’s (collectively, “Moderna”) October 2, 2024 Stipulation And Joint Motion For Entry Of Final Judgment Of Non-Infringement (“Stipulation”), the Court ENTERS FINAL JUDGMENT of:

1. non-infringement of all asserted claims of U.S. Patent No. 11,633,479 (“the ’479 Patent”) in view of the Court’s Claim Construction Order of the term **R<sup>13</sup>** is a **C<sub>10</sub>-C<sub>20</sub> alkyl group that is branched at the  $\alpha$ -position relative to M<sup>1</sup>** (all Asserted Claims) (D.I. 83).

The Court also DISMISSES WITHOUT PREJUDICE Moderna’s affirmative defenses and counterclaims.

The parties reserve the right to seek costs and attorneys' fees incurred through the date of the Stipulation.

This is a final, appealable judgment.

**IT IS SO ORDERED.**

SO ORDERED this 2<sup>nd</sup> day of October, 2024.

  
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CHIEF UNITED STATES DISTRICT JUDGE