

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Norfolk Division

CUREVAC SE, *et al.*

Plaintiffs

v.

BIONTECH SE, *et al.*,

Defendants

Case No. 2:23-cv-222

ORDER

This matter is before the Court on the defendants' Motion for Partial Summary Judgment. ECF No. 490. The motion is **DENIED** as to invalidity of the '312 patent, contributory infringement of the poly(A) patents, and an implied covenant not to sue on Claims 12 and 14 of the '686 patent. The motion is **DENIED AS MOOT** as to provisional rights-based damages for the '312 patent and induced infringement of the poly(A) patents. A memorandum opinion explaining the Court's reasoning will follow this Order.

IT IS SO ORDERED.



/s/

Jamar K. Walker
United States District Judge

Norfolk, Virginia
February 14, 2025