

# **EXHIBIT 10**





8. Attached as Exhibit 6 is a true and correct copy of Provisional Application 09/394230 entitled "Nucleic Acid N-MER Arrays" filed on behalf of Affymetrix and claiming Gunderson and Chee as coinventors, to which highlights have been added under the supervision of the undersigned. This document is publicly available and may be retrieved from the USPTO Public Patent Application Information Retrieval database ("PAIR"), available at <https://portal.uspto.gov/pair/PublicPair> , after searching by the application number to locate the Image File Wrapper for Provisional Application 09/394230.
9. Attached as Exhibit 7 is a true and correct copy of Exhibit list for Case 1:04-cv-00901-JJF Document 357-2 Filed 02/05/2007, to which highlights have been added under the supervision of the undersigned. This document is publicly available and may be retrieved searching for Case 1:04-cv-00901-JJF Document 357-2 Filed 02/05/2007 from [https://www.findforms.com/pdf\\_files/ded/8253/357-2.pdf](https://www.findforms.com/pdf_files/ded/8253/357-2.pdf)

I declare under penalty of perjury under the laws of New York that the foregoing is true and correct.

Dated: April 12, 2019

Respectfully Submitted,

*s/Timothy M. Kolman*

Timothy M. Kolman, Esq.  
Kolman Ely PC  
414 Hulmeville Ave.  
Pennel, PA 19047  
[tkolman@kolmanlaw.net](mailto:tkolman@kolmanlaw.net)

**CERTIFICATE OF SERVICE**

I hereby certify that on April 12, 2019 the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties and participants:

Robert Haney  
Swati Roopa Prakash  
Covington & Burling LLP  
620 Eighth Avenue  
New York, NY 10018-1405

Charles Tait Graves  
Matthew David Gorman  
Vernon Alan Norviel  
Wilson Sonsini Goodrich & Rosati  
One Market Street, Spear Tower, Suite 3300  
San Francisco, CA 94105

Jonathan Bach  
Lauren Capaccio  
Shapiro Arato Bach LLP  
500 Fifth Avenue, 40th Floor  
New York, NY 10110

Adam Tschop  
Thermo Fisher Scientific, Inc.  
5823 Newton Drive  
Carlsbad, CA 92008

/s/ Timothy M. Kolman  
Timothy M. Kolman

Dated: April 12, 2019