U.S. Patent Trial and Appeal Board Institutes Inter Partes Review Based on Geneoscopy's Petition Challenging Validity of '781 Patent Owned by Exact Sciences

ST. LOUIS, Mo. – July 29, 2024 – Geneoscopy, Inc., a life sciences company focused on developing diagnostic tests for the advancement of gastrointestinal health, today announced that the U.S. Patent Trial and Appeal Board (PTAB) has instituted *inter partes review* (IPR) to review the patentability of U.S. Patent No. 11,634,781 ("the '781 patent") owned by Exact Sciences.

Upon considering the petition and accompanying evidence, as well as Exact Sciences' response, the PTAB determined that Geneoscopy established a reasonable likelihood that it would prevail in showing that all 20 challenged claims of the '781 patent are unpatentable. The decision can be found on the PTAB website.

"The PTAB's decision to institute an IPR against the '781 patent is a positive step for Geneoscopy," said Andrew Barnell, CEO and co-founder of Geneoscopy. "This ruling highlights our long-held belief that the '781 patent claims are invalid and that the patent infringement suit brought by Exact Sciences is meritless. At Geneoscopy, we remain dedicated to expanding choice and access to safe, effective, and convenient screening options, potentially saving countless lives."

Geneoscopy filed the IPR petition after Exact Sciences brought suit in the U.S. District Court for the District of Delaware alleging infringement of the '781 patent. As the petition explained, nothing in the '781 patent is inventive. The claimed method of the patent is obvious, and the claims directed to the method are invalid. The PTAB's decision strengthens Geneoscopy's defenses to the allegations in the patent lawsuit. Geneoscopy has also filed a countersuit against Exact Sciences, alleging breach of contract, misappropriation of trade secrets, unfair competition, and various state and federal law violations.

About Geneoscopy, Inc.

Geneoscopy, Inc. is a life sciences company focused on developing diagnostic tests for gastrointestinal health. Leveraging its proprietary, patented stool-derived eukaryotic RNA (seRNA) biomarker platform, Geneoscopy's mission is to empower patients and providers to transform gastrointestinal health through innovative diagnostics. The company's FDA-approved ColoSense™ test uses a proprietary RNA-based platform to screen for colorectal cancer and advanced adenomas for average-risk individuals over the age of 45. In partnership with leading universities and biopharmaceutical companies, Geneoscopy is also developing diagnostic tests for treatment selection and therapy monitoring in other areas of gastrointestinal health. For more information, visit www.geneoscopy.com and follow the company on LinkedIn.

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