



Edgar Filing: ENZO BIOCHEM INC - Form 8-K

- o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 450 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-1 of this chapter). Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

**Item 8.01. Other Events.**

The Court of Appeals for the Federal Circuit today affirmed a judgment of the United States District Court for the District of Connecticut, on February 22, 2016. The lower court found that Applera Corp. (now part of Thermo-Fischer) had not infringed Enzo Biochem, Inc.'s United States Patent No. 5,449,767, and the Federal Circuit affirmed that finding. The Company is considering its options. The case is unrelated and has no impact on existing ongoing cases taking place in the federal court in Delaware.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

ENZO BIOCHEM, INC.

Date: August 2, 2017 By: /s/ Barry W. Weiner  
Barry W. Weiner  
President

(D)Date ExercisableExpiration DateTitleAmount or Number of Shares Phantom Stock \$ 011/20/200811/20/2008A 379.305  
08/08/198808/08/1988 Common Stock 379.305 \$ 0 17,662.416 D

**Reporting Owners**

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
	X			

THOMPSON RICHARD L  
801 E 86TH AVENUE  
MERRILLVILLE, IN 46410-6272

## Signatures

/s/ Gary W. Pottorff, attorney-in-fact for Richard L.  
Thompson

11/21/2008

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

\* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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