

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

GENOMIC PREDICTION, INC.,

Plaintiff,

vs.

NATHAN TREFF, TALIA METZGAR and
NUCLEUS GENOMICS, INC.,

Defendants.

Case No. 2:25-cv-16850-SDW-AME

District Judge Susan. D. Wigenton

Magistrate Judge Andre M. Espinosa

Motion Date: November 4, 2025

**DECLARATION OF LAURENT C.A. MELCHIOR TELLIER IN SUPPORT OF
PLAINTIFF'S APPLICATION FOR PRELIMINARY INJUNCTION WITH
TEMPORARY RESTRAINING ORDER AND LIMITED EXPEDITED DISCOVERY**

Laurent C. A. Melchior Tellier, of full age, hereby certifies:

1. I am one of the co-founders of Genomic Prediction, Inc. ("GP"), the Plaintiff in this litigation. I was also the CEO of GP from its founding in 2017 until October 2022.

2. I make this Declaration in support of GP's application for a preliminary injunction with a temporary restraining order and limited expedited discovery. This Declaration is based upon personal knowledge and my review of the business records maintained by GP.

3. I was the Lab Director and Head of Bioinformatics of the BGI Cognitive Genomics Laboratory before founding GP. I have worked in the fields of molecular biology and genomic prediction for over 15 years.

4. I understand that in his declaration, Nathan Treff states that "none of what GP does in performing genomic testing is novel." This could not be farther from the truth and he knows it.

5. GP's PGT products are easily distinguishable from competing products for the primary reason that our PGT products use high-density arrays in the specific way that we do. GP

invented PGT-P testing, remains the only company that offers PGT-P using high-density arrays, and is the only company that applies this method to PGT-A, PGT-SR, and PGT-M testing in combination.

6. Treff references a CooperSurgical article to support his contentions that we are not unique. This is disingenuous. The CooperSurgical study referenced by Treff is not comparable to Genomic Prediction's testing at all. It is about a platform which combines PGT-A and PGT-M testing, which does not validate its use for PGT-P, and without the advantages of GP's superior PGT-A testing performance. As far as I am aware, CooperSurgical does not use SNP arrays for combined PGT-P and PGT-A, let alone SNP arrays that generate high density SNP data for all 4 test types in one test, in the manner that GP does, and CooperSurgical has no expertise in interpretation of the dense, high-resolution SNP array data for purposes of PGT, as we do. Only GP has that expertise, which Treff now intends to share with Nucleus.

7. In any event, CooperSurgical's methods described in the paper resemble GP's methods only superficially, in that CooperSurgical uses some type of array to do genotyping. But CooperSurgical has entirely different aims from ours. It seeks to use a method called "karyomapping" as a universal means of PGT-M. GP's method of PGT-M is completely different, using a different hardware platform, different chemistry, and a different technology sequence (so-called "target region probes"). As Treff knows, these methods are entirely distinct from CooperSurgical's.

8. Furthermore, as virtually every scientist working in this field (including Treff) knows, academic papers published on these topics do not disclose confidential processes or techniques. Rather, they provide data validating the methods. That is true of the two articles Treff participated in writing (one of which Stephen Hsu and I co-authored) that he claims disclose GP's

trade secret methods and processes. Those articles ***do not*** disclose GP's trade secret methods and processes. I have never published any articles that disclose GP's trade secrets.

9. Laboratory methods and operations, which are GP's trade secrets and which Treff knows, are incredibly detailed and based on dozens of carefully measured factors, none of which are disclosed in CooperSurgical's paper or the two papers written by Treff.

10. While it is true that the articles identify some of the types of platforms GP uses to perform its testing, that is not a disclosure of GP's trade secrets. Disclosing equipment is not the same as disclosing a confidential process. For instance, the competitors of Taiwan Semiconductor Manufacturing Corporation know and have access to the same equipment as TSMC, but they cannot reproduce the efficiency with which TSMC produces microchips. The same is true here. Competitors of GP may use the same equipment, but they do not know GP's processes and methods for doing GP's PGT testing using that equipment. And GP does not disclose that information to third parties.

11. GP performs its PGT-A, PGT-SR, and PGT-M testing with high density arrays, where GP uses the SNP information (the same information that goes into PGT-P testing) to get signals that improve performance of the PGT-A, SR and M tests. The ways GP does that are not publicly known and not disclosed in the articles Treff cites.

12. Treff's statements that GP is not doing any novel work are wrong and would be readily discredited by anyone with knowledge of the industry. Industry leaders from CARE Fertility, iGenomix, Reproductive Resource Center, and elsewhere have described GP's technologies and methods as "revolutionary," "truly groundbreaking," and "able to do things that other labs simply cannot."

13. Indeed, GP *invented* PGT-P testing, which Dr. Alan Handyside, who invented PGT itself in the early 1990s when he performed the first PGT test, hailed as one of the most impressive developments in the field in 10 years, crediting GP specifically.¹

14. One can take Treff's own words into account on this issue. Treff has admitted in public statements that he did not have the idea to use arrays for PGT-P, or even to do PGT-P at all, until my co-founder Dr. Stephen Hsu and I explained the possibility to him in 2016 (which we had invented before we met him, including the selection of the appropriate array technology which GP ultimately used).² By his own admission, nobody else had described this to Treff before that, because the idea is novel and original to GP.

15. Also, I understand that Nucleus and Treff both testify that Nucleus is a "dry lab," and that Nucleus has no plans to create or acquire a "wet lab." However, I have reviewed the Nucleus email sent to Treff's GP email address that contains a Nucleus "Science advisory board agenda."³ and that document contradicts Nucleus's and Treff's testimony.

16. In four sections of the agenda, Nucleus spells out that they are purchasing Coriell cell lines for validation, complete end-to-end testing and in-house sequencing. Coriell cell lines are used as stand-ins for embryo biopsy cells. Cells lines are wet, not dry. Nucleus's purchase of cell lines for validation shows it is developing a pipeline for receiving embryo biopsies, which is what wet labs do.

¹ See *Interview with Prof Alan Handyside November 2020* - YouTube, <https://www.youtube.com/watch?v=p4HfgFTuGgI&t=3680s>

² See *About Genomic Prediction*, Youtube, <https://www.youtube.com/watch?v=ZkDTTqaIsZk&t=120s>

³ Attached to the Hsu Declaration as **Exhibit A**.

17. In another section of that agenda, Nucleus states they want to “assess PGT-A/PGT-M combination testing to reduce customer costs while maintaining margins on carrier screening and embryo products.” As Treff admits in his declaration, GP conducts PGT-A and PGT-M testing. The agenda shows Nucleus is developing those tests and those tests are wet lab tests, not dry lab tests.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: November 3, 2025

Laurent Christian Asker Melchior Tellier
box SIGN 4223J55X-42R3Q287

Laurent C. A. Melchior Tellier