

ORAL ORDER: With regard to Plaintiffs' discovery dispute motion ("Motion"), (D.I. 41 ), the Court now addresses the third dispute, via which Plaintiffs seek an order requiring Defendant to more specifically disclose all of its obviousness prior art combinations, (D.I. 42 at 3). The Court ORDERS that the request is DENIED. Plaintiffs' objection is premised on Defendant's use in its current invalidity contentions of language like "for example" or "exemplary[.]" (Id.) But Plaintiffs can just pretend that those words don't exist in Defendant's contentions, since those words don't mean much to the Court. Defendant has only disclosed the prior art combinations that are specifically recited in its current contentions. Just as with Plaintiffs' own contentions, (D.I. 47 , ex. P), if Defendant later seeks to supplement its current contentions, and if that supplementation (assuming it is challenged) is deemed timely by the Court, then it will be permitted. If a contested supplementation is found to be untimely, then it won't be permitted. And one of the factors the Court will consider in assessing whether supplemental contentions are timely is whether Defendant knew that its prior response was incomplete, and yet thereafter failed to timely supplement it. See *Lambda Optical Sols., LLC v. Alcatel-Lucent USA Inc.*, Civ. Action No. 10-487-RGA-CJB, 2013 WL 1776104, at \*2 (D. Del. Apr. 17, 2013), report and recommendation adopted, 2013 WL 12156799 (D. Del. May 13, 2013). Ordered by Judge Christopher J. Burke on 09/30/2025. (sam) (Entered: 09/30/2025)

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*Traveler Innovations Limited et al v. Evenflo Company, Inc.*  
1-24-cv-01204 (DDE), 9/30/2025, docket entry 70