

**U.S. District Court**  
**District of Delaware (Wilmington)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-00627-CFC-CJB**

Progressive Sterilization, LLC v. Turbett Surgical LLC et al  
Assigned to: Judge Colm F. Connolly  
Referred to: Judge Christopher J. Burke  
Cause: 35:271 Patent Infringement

Date Filed: 04/03/2019  
Jury Demand: Plaintiff  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/09/2021		ORAL ORDER: Having reviewed the claim construction briefing, the Court notes that the parties have taken positions that appear on their face to lack merit. Both sides offer numerous constructions without support, including for terms that appear abundantly clear on their face. The Court is skeptical that many of the briefed terms require construction and that reasonable parties with reasonable counsel could not have agreed on the plain meaning of the disputed terms. The Court further notes that outside counsel in this case do not appear as often as other counsel the Court regularly sees in patent cases. Now therefore, it is HEREBY ORDERED that counsel who will make argument at tomorrow's hearing are required to meet and confer by telephone today with their Delaware counsel on the line, that Delaware counsel are to take an active role in the meet and confer, and that the parties are to submit a letter to the Court no later than 4:00 p.m. this afternoon reporting on their meet and confer efforts and the results thereof. Ordered by Judge Colm F. Connolly on 6/9/2021. (nmf) (Entered: 06/09/2021)
06/09/2021	<u>188</u>	ORDER regarding claim construction. IT IS ORDERED that the parties shall state in their letter submissions to be filed this afternoon whether they would agree to these constructions. Signed by Judge Colm F. Connolly on 6/9/2021. (nmf) (Entered: 06/09/2021)
06/09/2021	<u>189</u>	Letter to Hon. Colm F. Connolly from Patricia S. Rogowski regarding Proposed Claim Construction Order – re <u>188</u> Order. (Rogowski, Patricia) (Entered: 06/09/2021)
06/09/2021	<u>190</u>	Letter to The Honorable Colm F. Connolly from Stephanie E. O'Byrne regarding oral order – re <u>188</u> Order, Oral Order,,,,, (O'Byrne, Stephanie) (Entered: 06/09/2021)