

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MAGNOLIA MEDICAL
TECHNOLOGIES, INC.,

Plaintiff,

v.

KURIN, INC.,

Defendant.

Civil Action No. 24-1124-CFC

MEMORANDUM ORDER

Pending before me is a Motion for Summary Judgment of Invalidity of U.S. Patent No. 12,138,052 Under 35 U.S.C. §§ 102 and 103 filed by Plaintiff Magnolia Medical Technologies, Inc. D.I. 249. In its concise statement of material undisputed facts filed in support of its motion, Magnolia states that “Kurin did not contest before the PTO that Patton #933 discloses all of the limitations of the originally filed independent claims of the application.” D.I. 252 ¶ 6. Kurin disputes this asserted fact and states that its “September 25, 2025 response to the non-final office action . . . stated that it ‘believes that independent Claims 1 and 14, prior to the present amendment, were allowable over the cited prior ar[t].’” D.I. 299 at 1–3. Kurin cites record evidence that appears on its face to support its statement. *See* D.I. 297-2 at 24.

Because there is a disputed fact that Magnolia has said is material to its motion for summary judgment, I will deny the motion. *See Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986) (holding that summary judgment will not lie if there is a genuine dispute about a material fact).

WHEREFORE, at Wilmington on this Second day of September in 2025, Plaintiff Magnolia Medical Technologies, Inc.'s Motion for Summary Judgment (D.I. 249) is **DENIED**.



CHIEF JUDGE