

Corp. v. RectorSeal, LLC, No. 20-cv-11896, 2021 WL 2953324, at *3-4 (D. Mass. July 14, 2021) (granting a stay even though the PTAB had not yet decided whether to institute IPR). While the parties are direct competitors as to certain products, Plaintiffs have not shown that they will suffer significant market harm during the period of a stay that is not compensable by money damages. See InMode Ltd., ___ F. Supp. 3d at ___ [2025 WL 926481, at *2].

The Court declines, however, to stay the claims of infringement of the two patents for which MIM has not sought IPR. The differences between the claims in these two patents and those in the other four both reduce the likelihood that the IPRs will simplify the issues regarding these two patents and mitigate the inefficiencies that a partial stay might otherwise cause. Cf. ACQIS, LLC v. EMC Corp., 109 F. Supp. 3d 352, 357-58 (D. Mass. 2015) (staying the entire lawsuit even though the PTAB instituted IPR as to only two of the eleven asserted patents because of "the significant overlap among the patents-in-suit"). Moreover, given the Court's limited resources, it would be necessary to tackle this massive and complex patent infringement suit in stages regardless of the pending IPR petitions. Proceeding with the two patents for which MIM has not sought IPR is a logical way to bifurcate the case.

Accordingly, MIM's motion to stay (Dkt. 88) is **ALLOWED IN PART** and **DENIED IN PART**. The Court **STAYS** this action only with

respect to the claims of infringement of the '346 patent, the '035 patent, the '141 patent, and the '817 patent. The parties shall file a joint status report within fourteen days of the PTAB's issuance of final determinations as to any of the IPRs.

SO ORDERED.

/s/ PATTI B. SARIS
Hon. Patti B. Saris
United States District Judge