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U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:24-cv-00507-JCB

Smart Denture Conversions, LLC v. Straumann USA, LLC

Date Filed: Apr 23, 2024
Nature of suit: 830 Patent
Assigned to: Judge John Campbell Barker
Cause: 35:271 Patent Infringement
Jurisdiction: Federal Question
Jury demand: Plaintiff
Related Documents: [Patent - US-11937992-B1, Pub. No. 11937992 \(06-03-2023\)](#)

Parties and Attorneys

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Docket Entries

Numbers shown are court assigned numbers.

Entry #	Filing Date	Description
1	Apr 23, 2024	COMPLAINT for PATENT INFRINGEMENT filed with Jury Demand against Straumann USA, LLC (Filing fee \$ 405, receipt number ADEDC-4391022.) - filed by Smart Denture Conversions, LLC. (Attachments: # 1 Exhibit A, # 2 Civil Cover Sheet) (vfm) (Entered: 04/23/2024)
2	Apr 23, 2024	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (vfm) (Entered: 04/23/2024)
3	Apr 23, 2024	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) 11,937,992. (vfm) (Entered: 04/23/2024)
	Apr 23, 2024	DEFICIENCY NOTICE issued by the Court to Plaintiff: Pursuant to Fed. R. Civ. P. 7.1 (b)(1), A party must: (1) file the disclosure statement with its first appearance, pleading, petition, motion, response, or other request addressed to the court. Counsel is requested to supplement the docket with an appropriate Rule 7.1 Disclosure Statement. (vfm) (Entered: 04/23/2024)
	Apr 23, 2024	No Summons Issued. (vfm) (Entered: 04/23/2024)
4	Apr 23, 2024	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by Smart Denture Conversions, LLC. (Cottrell, Frederick) (Entered: 04/23/2024)

Entry #	Filing Date	Description
5	Apr 24, 2024	MOTION for Pro Hac Vice Appearance of Attorney Kelsey I. Nix and Hope C. Garber - filed by Smart Denture Conversions, LLC. (Cottrell, Frederick) (Entered: 04/24/2024)
6	Apr 24, 2024	Pro Hac Vice Fee - Credit Card Payment received for Kelsey I. Nix and Hope C. Garber. (re 5 MOTION for Pro Hac Vice Appearance of Attorney Kelsey I. Nix and Hope C. Garber)(Payment of \$ 100, receipt number ADEDC-4391917).(Cottrell, Frederick) (Entered: 04/24/2024)
	May 1, 2024	Case Assigned to Judge Maryellen Noreika. Please include the initials of the Judge (MN) after the case number on all documents filed. (nms) (Entered: 05/01/2024)
	May 1, 2024	SO ORDERED re 5 MOTION for Pro Hac Vice Appearance of Attorney Kelsey I. Nix and Hope C. Garber filed by Smart Denture Conversions, LLC. ORDERED by Judge Maryellen Noreika on 5/1/2024. (dlw) (Entered: 05/01/2024)
	May 2, 2024	Pro Hac Vice Attorney Hope C. Garber for Smart Denture Conversions, LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 05/02/2024)
	May 2, 2024	Pro Hac Vice Attorney Kelsey I. Nix for Smart Denture Conversions, LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 05/02/2024)
7	Jun 10, 2024	SUMMONS Returned Executed by Smart Denture Conversions, LLC.Straumann USA, LLC served on 6/10/2024, answer due 7/1/2024. (Blau, Jessica) (Entered: 06/10/2024)
8	Jun 18, 2024	STIPULATION TO EXTEND TIME to answer, move, or otherwise respond to the complaint to July 29, 2024 - filed by Straumann USA, LLC. (DiBenedetto, Emily) Modified on 6/18/2024 (dlw). (Entered: 06/18/2024)
9	Jun 18, 2024	Disclosure Statement pursuant to Rule 7.1: identifying Other Affiliate Straumann Manufacturing Inc. for Straumann USA, LLC filed by Straumann USA, LLC. (DiBenedetto, Emily) (Entered: 06/18/2024)
	Jun 18, 2024	SO ORDERED re 8 STIPULATION TO EXTEND TIME to answer, move, or otherwise respond to the complaint to July 29, 2024 (Set/Reset Answer Deadlines: Straumann USA, LLC answer due 7/29/2024). ORDERED by Judge Maryellen Noreika on 6/18/2024. (dlw) (Entered: 06/18/2024)
10	Jul 9, 2024	MOTION for Pro Hac Vice Appearance of Attorney Georg Reitboeck, Mark Chapman, Christopher Gosselin - filed by Straumann USA, LLC. (DiBenedetto, Emily) (Entered: 07/09/2024)
11	Jul 9, 2024	Pro Hac Vice Fee - Credit Card Payment received for Georg Reitboeck, Mark Chapman, and Christopher Gosselin. (re 10 MOTION for Pro Hac Vice Appearance of Attorney Georg Reitboeck, Mark Chapman, Christopher Gosselin)(Payment of \$ 150, receipt number ADEDC-4447597).(DiBenedetto, Emily) (Entered: 07/09/2024)
	Jul 10, 2024	SO ORDERED re 10 MOTION for Pro Hac Vice Appearance of Attorney Georg Reitboeck, Mark Chapman, Christopher Gosselin filed by Straumann USA, LLC. ORDERED by Judge Maryellen Noreika on 7/10/2024. (dlw) (Entered: 07/10/2024)
12	Jul 29, 2024	MOTION to Dismiss for Failure to State a Claim for Relief under Fed. R. Civ. P. 12(b)(6) - filed by Straumann USA, LLC. (Attachments: # 1 Text of Proposed

Entry #	Filing Date	Description
		Order)(Keller, Karen) Modified on 7/30/2024 (mdb). (Entered: 07/29/2024)
13	Jul 29, 2024	OPENING BRIEF in Support re 12 MOTION to Dismiss for Failure to State a Claim for Relief under Fed. R. Civ. P. 12(b)(6) filed by Straumann USA, LLC.Answering Brief/Response due date per Local Rules is 8/12/2024. (Keller, Karen) Modified on 7/30/2024 (mdb). (Entered: 07/29/2024)
	Jul 30, 2024	Pro Hac Vice Attorney Mark Chapman, Christopher Gosselin, and Georg C. Reitboeck for Straumann USA, LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mws) (Entered: 07/30/2024)
	Aug 1, 2024	Case Reassigned to District Judge John Campbell Barker of the United States District Court for the Eastern District of Texas. Please include the initials of the Judge (JCB) after the case number on all documents filed. (rjb) (Entered: 08/01/2024)
14	Aug 7, 2024	STIPULATION and [Proposed] Order to Extend Time regarding Motion to Dismiss deadlines by Smart Denture Conversions, LLC. (Rawnsley, Jason) (Entered: 08/07/2024)
	Aug 8, 2024	SO ORDERED re 14 STIPULATION and [Proposed] Order to Extend Time. The time for plaintiff Smart Dentures Conversions, LLC ("SDC") to answer or otherwise respond to defendant Straumann USA, LLC's motion to dismiss shall be extended through and including September 6, 2024, and the time for defendant to reply to plaintiff's opposition shall be extended though and including September 27, 2024. Ordered by District Judge J. Campbell Barker on 8/8/2024. (mpb) (Entered: 08/08/2024)
15	Sep 5, 2024	ANSWERING BRIEF in Opposition re 12 MOTION to Dismiss for Failure to State a Claim for Relief under Fed. R. Civ. P. 12(b)(6) filed by Smart Denture Conversions, LLC.Reply Brief due date per Local Rules is 9/12/2024. (Rawnsley, Jason) (Entered: 09/05/2024)
16	Sep 27, 2024	REPLY BRIEF re 12 MOTION to Dismiss for Failure to State a Claim for Relief under Fed. R. Civ. P. 12(b)(6) filed by Straumann USA, LLC. (Keller, Karen) (Entered: 09/27/2024)
17	Oct 7, 2024	NOTICE of Readiness by Smart Denture Conversions, LLC (Rawnsley, Jason) (Entered: 10/07/2024)
18	Oct 11, 2024	ORDER: A Telephonic Motion Hearing is set for 11/13/2024 at 11:00 AM before District Judge John Campbell Barker. See order for additional details. Signed by District Judge John Campbell Barker on 10/11/2024. (rlr) (Entered: 10/11/2024)
19	Nov 8, 2024	COURT ORDER: An audio broadcast of the hearing scheduled for November 13, 2024, at 11:00 a.m. EST will be available by telephone to the public. The telephone dial-in number is (571) 353-2301. The access code is 915010891. The telephone connection will not allow listeners to participate or communicate with the court. Dial-in instructions will be emailed to the parties directly. Ordered by District Judge J. Campbell Barker on 11/8/2024. Ordered by District Judge John Campbell Barker on 11/08/2024. (mpb) (Entered: 11/08/2024)
	Nov 13, 2024	Minute Entry for proceedings held before District Judge John Campbell Barker - Motion Hearing held on 11/13/2024 re 12 MOTION to Dismiss for Failure to State a Claim for Relief under Fed. R. Civ. P. 12(b)(6) filed by Straumann USA, LLC. Counsel for Plaintiff: Kelsey Nix, Hope Garber, and Frederick Cottrell. Counsel for Defendant: Mark

Entry #	Filing Date	Description
		Chapman, Georg Reithoeck, and Nathan Hoeschen. (Court Reporter Kimberly Bursner.) (mpb) (Entered: 11/13/2024)
20	Nov 26, 2024	Official Transcript of Motion Hearing held on 11/13/2024 before Judge J. Campbell Barker. Court Reporter/Transcriber Kimberly Bursner, Email: kbursner@verizon.net. Transcript may be viewed at the court public terminal or order/purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, it may be obtained through PACER Redaction Request due 12/17/2024. Redacted Transcript Deadline set for 12/27/2024. Release of Transcript Restriction set for 2/24/2025. (rlr) (Entered: 11/26/2024)
21	Dec 12, 2024	OPINION AND ORDER: The Court holds that claim 1 and claim 9 of the '992 patent do not impermissibly claim both apparatus components and method steps. Accordingly, the court denies defendant's motion to dismiss for failure to state a claim (Doc. 12). An order setting Rule 26 deadlines will follow this order. Signed by District Judge John Campbell Barker on 12/12/2024. (mpb) (Entered: 12/12/2024)
22	Dec 16, 2024	ORDER REGULATING PRACTICE. Signed by District Judge John Campbell Barker on 12/16/2024. (jfm) (Entered: 12/16/2024)
23	Dec 17, 2024	ORDER: Pursuant to Rule 26(f), counsel for each party shall confer by January 10, 2025, (the "Rule 26(f) conference") and (1) consider the nature of and grounds for their claims and defenses; (2) discuss the potential for promptly resolving the case; (3) arrange for the disclosures required by Rule 26(a)(1) as well as the authorizations required to obtain any medical, wage and earning, or Social Security Administration records; and (4) prepare a joint report. The joint report shall be filed within 14 days after the Rule 26(f) conference and, in any event, no later than January 24, 2025. A Rule 16 pretrial conference is set for January 31, 2025, at 10 a.m. by telephone. Lead counsel for each party, or counsel with binding authority for each party, shall participate. (See Order for further details) Signed by District Judge John Campbell Barker on 12/17/2024. (mpb) (Entered: 12/17/2024)
24	Dec 19, 2024	ANSWER to 1 Complaint [Defendant Straumann USA, LLC's Answer to the Complaint] by Straumann USA, LLC.(Keller, Karen) (Entered: 12/19/2024)
25	Jan 21, 2025	MOTION for Pro Hac Vice Appearance of Attorney John Gibbons - filed by Smart Denture Conversions, LLC. (Rawnsley, Jason) (Entered: 01/21/2025)
26	Jan 21, 2025	Pro Hac Vice Fee - Credit Card Payment received for John Gibbons. (re 25 MOTION for Pro Hac Vice Appearance of Attorney John Gibbons)(Payment of \$ 50, receipt number ADEDC-4595043).(Rawnsley, Jason) (Entered: 01/21/2025)
27	Jan 22, 2025	Joint STATUS REPORT Rule 26 by Smart Denture Conversions, LLC. (Attachments: # 1 [Proposed] Scheduling Order)(Cottrell, Frederick) (Entered: 01/22/2025)
28	Jan 22, 2025	SO ORDERED re 25 Motion for pro hac vice appearance of attorney John Gibbons, filed by Smart Denture Conversions, LLC. Ordered by District Judge J. Campbell Barker on 1/22/2025.Ordered by Judge John Campbell Barker on 01/22/2025. (oam) (Entered: 01/22/2025)
	Jan 22, 2025	Pro Hac Vice Attorney John L. Gibbons for Smart Denture Conversions, LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (cdd) (Entered: 01/22/2025)

Entry #	Filing Date	Description
29	Jan 28, 2025	ORAL ORDER: Based on the parties' representation, a conference with the court is not required at this time. Doc. 27 . The scheduling conference set for January 31, 2025, is canceled. Ordered by District Judge J. Campbell Barker on 1/28/2025 (jfm) (Entered: 01/28/2025)
30	Jan 28, 2025	Unopposed MOTION For Leave to Supplement Complaint - filed by Smart Denture Conversions, LLC. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit 1, # 3 Exhibit 2)(Cottrell, Frederick) (Entered: 01/28/2025)
31	Jan 30, 2025	SCHEDULING ORDER: All non-expert discovery due December 5, 2025; Opening claim construction brief due on December 19, 2025; Answering claim construction brief due on January 16, 2026; Reply claim construction brief due on January 30, 2026; Sur-reply claim construction brief due February 13, 2026; Joint claim construction brief due February 20, 2026; Markman hearing and hearing on any motion for summary judgment scheduled on March 6, 2026 at 10 a.m. EST / 9 a.m. CST; Final pretrial order due on October 1, 2026; Jury Trial scheduled to begin on October 19, 2026 at 9:30 a.m. ET / 8:30 a.m. CT before Judge J. Campbell Barker, 844 N. King Street, Wilmington, DE (SEE ORDER FOR FURTHER DETAILS). Signed by Judge John Campbell Barker on 1/30/2025. (jfm) (Entered: 01/30/2025)
32	Jan 31, 2025	NOTICE OF SERVICE of 1.) Defendant Straumann USA, LLC's First Set of Interrogatories to Plaintiff (Nos. 1-7) 2.) Defendant Straumann USA, LLC's First Set of Requests for Production of Documents and Things to Plaintiff (Nos. 1-45) filed by Straumann USA, LLC.(Hoeschen, Nathan) (Entered: 01/31/2025)
33	Feb 4, 2025	ORDER: Unopposed MOTION For Leave to Supplement Complaint (Doc. 30) is granted. Plaintiff shall file its first supplemental complaint (Doc. 30 -2) as a new docket entry and properly attach to that filing the new exhibits. See Doc. 30 -3 at 3-4. That will become the operative complaint in this case. Defendant will have 14 days to file responsive pleading after being served with the first supplemental complaint. Signed by Judge John Campbell Barker on 2/4/2025. (jfm) (Entered: 02/04/2025)
34	Feb 4, 2025	Supplemental AMENDED COMPLAINT [First Supplemental Complaint] against Straumann USA, LLC- filed by Smart Denture Conversions, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Cottrell, Frederick) (Entered: 02/04/2025)
35	Feb 14, 2025	NOTICE OF SERVICE of First Set of Requests for Production Directed to Defendant and First Set of Interrogatories Directed to Defendant filed by Smart Denture Conversions, LLC.(Blau, Jessica) (Entered: 02/14/2025)
36	Feb 14, 2025	ANSWER to Amended Complaint, re: 34 Amended Complaint [Defendant Straumann USA, LLC's Answer to the First Supplemental Complaint] by Straumann USA, LLC.(Hoeschen, Nathan) (Entered: 02/14/2025)
37	Feb 14, 2025	STIPULATION TO EXTEND TIME for the parties to submit a proposed protective order to February 21, 2025 - filed by Smart Denture Conversions, LLC. (Blau, Jessica) (Entered: 02/14/2025)
38	Feb 14, 2025	NOTICE OF SERVICE of Defendant Straumann USA, LLC's Initial Disclosures filed by Straumann USA, LLC.(Hoeschen, Nathan) (Entered: 02/14/2025)
39	Feb 14, 2025	NOTICE OF SERVICE of Smart Denture Conversions, LLC's Initial Disclosures filed by Smart Denture Conversions, LLC.(Blau, Jessica) (Entered: 02/14/2025)
40	Feb 20, 2025	PROPOSED ORDER [Stipulated Protective Order] re 31 Scheduling Order,, by Smart

Entry #	Filing Date	Description
		Denture Conversions, LLC. (Attachments: # 1 Cover Letter)(Blau, Jessica) (Entered: 02/20/2025)
41	Feb 21, 2025	NOTICE OF SERVICE of (1) Disclosures Required by Delaware Default Standard for Discovery § 3; and (2) Identification of Accused Products and Asserted Patents Required by Delaware Default Standard for Discovery § 4 filed by Smart Denture Conversions, LLC.(Blau, Jessica) (Entered: 02/21/2025)
42	Feb 21, 2025	NOTICE OF SERVICE of Defendant Straumann USA, LLC's Disclosures under § 3 of the Delaware Default Standard for Discovery filed by Straumann USA, LLC.(Keller, Karen) (Entered: 02/21/2025)
43	Mar 3, 2025	NOTICE OF SERVICE of (1) Responses and Objections to Straumann's Requests for Production No. 1-45; and (2) Responses and Objections to Straumann's Interrogatories 1-7 filed by Smart Denture Conversions, LLC.(Blau, Jessica) (Entered: 03/03/2025)
44	Mar 4, 2025	STIPULATED PROTECTIVE ORDER. Signed by Judge John Campbell Barker on 03/04/2025. (oam) (Entered: 03/04/2025)
45	Mar 11, 2025	NOTICE of Withdrawal of Counsel by Smart Denture Conversions, LLC (Blau, Jessica) (Entered: 03/11/2025)
46	Mar 21, 2025	NOTICE OF SERVICE of 1. Defendant Straumann USA, LLC's Objections and Responses to Plaintiff Smart Denture Conversions, LLC's First Set of Interrogatories to Defendants 2. Defendant Straumann USA, LLC's Objections and Responses to Plaintiff Smart Denture Conversions, LLC's First Set of Requests for Production to Defendants 3. Defendant Straumann USA, LLC's core technical documents under § 4(b) of the Delaware Default Standard for Discovery filed by Straumann USA, LLC.(DiBenedetto, Emily) (Entered: 03/21/2025)
47	Apr 17, 2025	NOTICE OF SERVICE of 1. Defendant Straumann USA, LLC's Second Set of Interrogatories to Plaintiff (Nos. 8 - 14) 2. Defendant Straumann USA, LLC's Second Set of Requests for Production of Documents and Things to Plaintiff (Nos. 46 - 47) filed by Straumann USA, LLC.(Keller, Karen) (Entered: 04/17/2025)
48	Apr 25, 2025	NOTICE of Appearance by Christine Dealy Haynes on behalf of Smart Denture Conversions, LLC (Haynes, Christine) (Entered: 04/25/2025)
49	Apr 25, 2025	NOTICE OF SERVICE of Smart Denture Conversions, LLC's Initial Claim Chart filed by Smart Denture Conversions, LLC.(Haynes, Christine) (Entered: 04/25/2025)
50	May 2, 2025	NOTICE OF SERVICE of SDC's Supplemental Responses and Objections to Straumann's Interrogatories Nos. 1-7 filed by Smart Denture Conversions, LLC.(Haynes, Christine) (Entered: 05/02/2025)
51	May 6, 2025	NOTICE of Inter Partes Review Petition by Straumann USA, LLC (Hoeschen, Nathan) (Entered: 05/06/2025)
52	May 15, 2025	Standing Order Regulating Practice in Delaware Cases. Signed by Judge John Campbell Barker on 05/15/2025. (jfm) (Entered: 05/15/2025)
53	May 16, 2025	NOTICE OF SERVICE of Responses and Objections to Straumanns Interrogatories Nos. 8-14 and Responses and Objections to Straumann's Requests for Production Nos. 46-47 filed by Smart Denture Conversions, LLC.(Haynes, Christine) (Entered: 05/16/2025)

Entry #	Filing Date	Description
54	May 19, 2025	Unopposed MOTION to Amend/Correct 31 Scheduling Order,,, - filed by Straumann USA, LLC. (Attachments: # 1 Text of Proposed Order)(Hoeschen, Nathan) (Entered: 05/19/2025)
55	May 21, 2025	SO ORDERED re 54 Unopposed motion to amend the scheduling order. The deadline for defendant to serve initial invalidity contentions shall be extended to June 2, 2025. Ordered by District Judge J. Campbell Barker on 5/21/2025. (jfm) (Entered: 05/21/2025)
56	Jun 3, 2025	NOTICE OF SERVICE of Defendant Straumann USA, LLC's Initial Invalidity Contentions filed by Straumann USA, LLC.(Keller, Karen) (Entered: 06/03/2025)
57	Jun 4, 2025	NOTICE of Sotera Stipulation by Straumann USA, LLC (Hoeschen, Nathan) (Entered: 06/04/2025)
58	Jun 10, 2025	NOTICE of Consent to Trial by Smart Denture Conversions, LLC (Haynes, Christine) (Entered: 06/10/2025)
59	Jun 11, 2025	NOTICE of [Defendant Straumann USA, LLC's Notice Regarding Place of Trial and Hearings] by Straumann USA, LLC re 52 Order (Hoeschen, Nathan) (Entered: 06/11/2025)
60	Jun 12, 2025	NOTICE of Post Grant Review Petition by Straumann USA, LLC (Hoeschen, Nathan) (Entered: 06/12/2025)
61	Jul 2, 2025	NOTICE OF SERVICE of Requests for Production (Nos. 47-56) and Interrogatories to Straumann (Nos. 10-16) filed by Smart Denture Conversions, LLC.(Cottrell, Frederick) (Entered: 07/02/2025)
62	Jul 15, 2025	NOTICE of Sotera Stipulation regarding U.S. Patent No. 12,156,781 by Straumann USA, LLC (Hoeschen, Nathan) (Entered: 07/15/2025)
63	Jul 18, 2025	CERTIFICATE OF SERVICE of 1. Defendant Straumann USA, LLC's Motion for a Conditional Stay Pending the Resolution of the Parallel PTAB Proceedings 2. Opening Brief in Support of Defendant Straumann USA, LLC's Motion for a Conditional Stay Pending the Resolution of the Parallel PTAB Proceedings (and accompanying exhibits) 3. Proposed Order Granting Defendant Straumann USA, LLC's Motion for a Conditional Stay Pending the Resolution of the Parallel PTAB Proceedings by Straumann USA, LLC (Hoeschen, Nathan) (Entered: 07/18/2025)
64	Jul 28, 2025	NOTICE OF SERVICE of SDCs Supplemental Responses and Objections to Straumanns Interrogatory No. 14 filed by Smart Denture Conversions, LLC.(Haynes, Christine) (Entered: 07/28/2025)