

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MIDWEST ENERGY EMISSIONS CORP.)	
and MES INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 19-1334 (CJB)
)	
ARTHUR J. GALLAGHER & CO., et al.,)	
)	
Defendants.)	

**CERT DEFENDANTS’ MOTION FOR JUDGMENT AS A MATTER OF LAW OF NO
INDUCED INFRINGEMENT, NO CONTRIBUTORY INFRINGEMENT, AND NO
WILLFUL INFRINGEMENT AS TO PLAINTIFFS’ CLAIMS FOR INFRINGEMENT
OF US PATENT NOS. 10,343,114 AND 10,596,517**

The CERT Defendants hereby move under Federal Rule of Civil Procedure 50 for judgment as a matter of law that CERT (1) has not induced infringement of claim 25 or 26 of U.S. Patent No. 10,343,114; (2) has not induced infringement of claim 1 or 2 of U.S. Patent No. 10,596,517; (3) has not contributed to infringement of claim 25 or 26 of U.S. Patent No. 10,343,114; (4) has not contributed to infringement of claim 1 or 2 of U.S. Patent No. 10,596,517; (5) has not willfully infringed claim 25 or 26 of U.S. Patent No. 10,343,114; and (6) has not willfully infringed claim 1 or 2 of U.S. Patent No. 10,596,517.

The grounds for CERT’s motion are set forth in the accompanying opening brief in support of this motion.

Dated: April 5, 2024

/s/ Kenneth L. Dorsney

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**[PROPOSED] ORDER GRANTING CERT DEFENDANTS' MOTIONS FOR
JUDGMENT AS A MATTER OF LAW OF NO INDUCED INFRINGEMENT, NO
CONTRIBUTORY INFRINGEMENT, AND NO WILLFUL INFRINGEMENT AS
TO U.S. PATENT NOS. 10,343,114 AND 10,596,517**

Whereas, the Court, having considered the CERT Defendants' Motion for Judgment as a Matter of Law of no induced infringement, no contributory infringement, and no willful infringement of U.S. Patent Nos. 10,343,114 and 10,596,517 and the related briefing and exhibits,

IT IS HEREBY ORDERED that the CERT Defendants' Motion is GRANTED. The Court finds and decrees that:

1. The CERT Defendants do not and did not induce infringement of claim 25 or 26 of U.S. Patent No. 10,343,114 or claim 1 or 2 of U.S. Patent No. 10,596,517.
2. The CERT Defendants do not and did not contribute to infringement of claim 25 or 26 of U.S. Patent No. 10,343,114 or claim 1 or 2 of U.S. Patent No. 10,596,517.
3. The CERT Defendants do not and did not willfully infringe claim 25 or 26 of U.S. Patent No. 10,343,114 or claim 1 or 2 of U.S. Patent No. 10,596,517.

It is so ORDERED.

The Honorable Christopher J. Burke
United States District Court Magistrate Judge