

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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MULTILAYER STRETCH CLING FILM	)	
HOLDINGS, INC.,	)	
	)	
Plaintiff,	)	JURY TRIAL DEMANDED
	)	
v.	)	No. 2:12-cv-2112-JPM-tmp
	)	
MSC MARKETING AND TECHNOLOGY,	)	
INC. d/b/a SIGMA STRETCH FILM, and	)	
ALPHA INDUSTRIES, INC.,	)	
	)	
Defendant.	)	

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**ORDER DENYING DEFENDANT'S MOTION TO COMPEL**

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Before the Court is Defendant's Motion to Compel Supplementation of Multilayer's Infringement Contentions (ECF No. 75), filed May 31, 2013. On July 23, 2013, the Court held a telephonic hearing on the Motion. Present for Plaintiff Multilayer Stretch Cling Film Holdings, Inc. ("Plaintiff" or "Multilayer") was Melissa Hunter Smith. Present for Defendant MSC Marketing and Technology, Inc. ("Defendant" or "Sigma") was James K. Stronski, Sean E. Jackson, and John R. Branson.

The Court finds that, as this District's Local Patent Rules are similar to those of both the United States District Courts for the Northern District of California and the Eastern District of Texas, Multilayer's initial infringement contentions provide "reasonable notice to the defendant why the plaintiff believes

it has a reasonable chance of proving infringement and raise a reasonable inference that all accused products infringe.”

Digital Reg of Texas, LLC v. Adobe Sys., Inc., No. CV 12-01971-CW(KAW), 2013 WL 633406, at \*3 (N.D. Cal. Feb. 20, 2013).

Further, the Court agrees that “[i]nfringement contentions are not intended to require a party to set forth a prima facie case of infringement and evidence in support thereof.” Realtime Data, LLC v. Packeteer, Inc., No: 6:08CV144, 2009 WL 2590101, at \*5 (E.D. Tex. Aug. 18, 2009).

Accordingly, and for the reasons stated during the hearing, Defendant’s Motion to Compel is DENIED.

**IT IS SO ORDERED**, this 23rd day of July, 2013.

s/ JON P. McCALLA  
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CHIEF U.S. DISTRICT JUDGE