UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Marine Polymer Technologies, Inc.

v. Civil No. 06-cv-100-JD

HemCon, Inc.

O R D E R

Marine Polymer Technologies, Inc. moves, in limine, to preclude HemCon, Inc. from introducing evidence relating to its enablement and natural product defenses. In support, Marine Polymer asserts that the court previously ruled in Marine Polymer's favor on those defenses. HemCon objects, contending that the defenses have not been resolved.

HemCon raised its enablement and natural product defenses in support of its motion for summary judgment. The court denied the motion on July 9, 2009. Dkt. no. 146. Although the court noted that the specification enabled at least one mode of making and using the invention, that determination merely established that HemCon had not demonstrated for purposes of summary judgment that the description of the invention was insufficient to meet the requirements of 35 U.S.C. § 112. Similarly, the court concluded that HemCon had not shown, for purposes of summary judgment, that the '245 patent covers products of nature. No order dismissed

those defenses. Therefore, HemCon may introduce evidence in support of these defenses at trial.

Conclusion

For the foregoing reasons, the plaintiff's motion in limine (document no. 196) is denied.

SO ORDERED.

Joseph A. DiClerico, Jr.
United States District Judge

March 30, 2010

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