

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: CTP INNOVATIONS, LLC,
PATENT LITIGATION**

MDL No. 2581

TRANSFER ORDER

Before the Panel: Defendants in two actions listed on the attached Schedule A move under Panel Rule 7.1 to vacate the Panel’s order conditionally transferring their respective actions to MDL No. 2581. Patentholder CTP Innovations, LLC (CTP) opposes the motions.

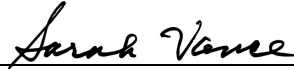
After considering the argument of counsel, we find these actions involve common questions of fact with the actions previously transferred to MDL No. 2581, and that transfer will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. Moreover, transfer is warranted for reasons set out in our order directing centralization. In that order, we held that the District of Maryland was an appropriate Section 1407 forum for actions sharing factual questions arising from alleged infringement of CTP’s U.S. Patent Nos. 6,611,349 (‘349 Patent) and 6,738,155 (‘155 Patent), which are respectively titled “System and Method of Generating a Printing Plate file in Real Time Using a Communication Network” and “System and Method of Providing Publishing and Printing Services Via A Communications Network” and relate generally to the field of publishing and printing. *See In re: CTP Innovations, LLC, Pat. Litig.*, 65 F. Supp. 3d 1410 (J.P.M.L. 2014). These actions involve the alleged infringement of the ‘349 Patent, and they clearly fall within the MDL’s ambit.

Defendants assert that transfer of the actions will be inefficient, given that some of the actions in the MDL are stayed pending *inter partes* review of certain claims. We do not find these arguments to be persuasive. Like at least fourteen recently-filed tag-along actions that have been transferred to MDL No. 2581 without opposition, these two actions contain claims for infringement of Claim 4 and potentially Claims 5-9 of the ‘349 Patent. While eight actions that were initially transferred to the MDL were stayed pending the *inter partes* review process, the claims asserted in the newly-transferred actions are not subject to that process. Transfer will ensure the efficient resolution of these similar actions involving the same claims of the same patent, as well as reduce the likelihood of conflicting pretrial rulings or inconsistent interpretations of the ‘349 Patent’s claims.

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IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, these actions are transferred to the District of Maryland and, with the consent of that court, assigned to the Honorable Marvin J. Garbis for inclusion in the coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION



Sarah S. Vance
Chair

Marjorie O. Rendell
Lewis A. Kaplan
R. David Proctor

Charles R. Breyer
Ellen Segal Huvelle
Catherine D. Perry

**IN RE: CTP INNOVATIONS, LLC,
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SCHEDULE A

Central District of California

CTP INNOVATIONS LLC v. TREND OFFSET PRINTING SERVICES, INC.,
C.A. No. 8:15-519

Northern District of Texas

CTP INNOVATIONS LLC v. ENNIS, INC., C.A. No. 3:15-864