

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS

MSTM, LLC and M&M Mass Spec Consulting, LLC v. AB Sciex
LLC

MSTM v. AB Sciex · No. 1:23-cv-11121-MRG · Decided March 10, 2026

SUMMARY

The United States District Court for the District of Massachusetts addresses AB Sciex LLC’s partial motion to dismiss claims brought by MSTM, LLC and M&M Mass Spec Consulting, LLC involving patent infringement, trade-secret misappropriation, contractual obligations, and unjust enrichment. The court denied dismissal of the patent-related claims, including challenges to statutory standing and the sufficiency of infringement allegations, but granted dismissal of the unjust-enrichment claim.

CASE DETAILS

COURT	United States District Court for the District of Massachusetts
WRITING FOR THE COURT	Margaret R. Guzman
JURISDICTION	United States District Court for the District of Massachusetts
DECIDED	March 10, 2026
DOCKET	1:23-cv-11121-MRG
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss patent infringement, indirect and contributory infringement, and unjust enrichment claims in Plaintiffs' amended complaint.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff's favor, and determines whether the complaint states a facially plausible claim for relief. In a patent case, the plaintiff need not plead infringement on an element-by-element basis or prove the case at the pleading stage.
PRECEDENTIAL VALUE	unpublished district court memorandum and order; nonprecedential
PARTIES	MSTM, LLC, M&M Mass Spec Consulting, LLC v. AB Sciex LLC

TOPICS

patent infringement

motions to dismiss

standing

misappropriation of trade secrets

unjust enrichment

PRACTICE AREAS

patent law

trade secrets

contracts

commercial litigation

civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiffs had statutory standing to assert infringement claims concerning patents assigned to universities where Plaintiffs held an exclusive license and had obtained the universities' consent to sue.
2. Whether the amended complaint plausibly pleaded direct and indirect infringement of the MAIV patents without identifying infringement on an element-by-element basis.
3. Whether the contributory infringement claims were adequately pleaded when Defendant disputed claim construction and whether the accused products had substantial noninfringing uses.
4. Whether Plaintiffs could maintain an unjust enrichment claim where other available legal remedies addressed the same alleged trade-secret misappropriation, contract breach, and Chapter 93A conduct.

HOLDINGS

1. An exclusive licensee that, viewed in light of the totality of the agreements, received the substantive rights to exploit and enforce the patents and obtained the patent owners' consent to sue has statutory standing to pursue infringement claims without joining the patent owners.
2. A complaint plausibly pleads patent infringement when it identifies the accused products and provides factual allegations and supporting materials that give the alleged infringer fair notice of the accused activity; an element-by-element infringement pleading is not required at the motion-to-dismiss stage.
3. The contributory infringement claims were adequately pleaded because factual disputes concerning claim construction, the accused devices, and substantial noninfringing uses were premature for resolution on a motion to dismiss.
4. A plaintiff may not maintain an unjust enrichment claim based on conduct for which other adequate legal remedies are available, even if those other remedies may ultimately prove unsuccessful.

KEY QUOTATIONS

“On a motion to dismiss, the Court’s role is to ‘test the sufficiency of the complaint, not to decide the merits’ ‘without the benefit of claim construction.’” (Section IV.B)

“it is ‘the availability of a remedy at law, not the viability of that remedy, that prohibits a claim for unjust enrichment.’” (Section IV.D)

FACTUAL BACKGROUND

Plaintiffs own or exclusively license patents concerning mass spectrometry and allege that AB Sciex obtained confidential information and demonstrations of their technologies under confidentiality and nondisclosure agreements while evaluating a potential licensing or collaboration relationship. Plaintiffs allege that AB Sciex later developed, manufactured, sold, offered for sale, imported, or used mass spectrometry products

incorporating their patented and trade-secret technologies. Plaintiffs also allege that AB Sciex's products and customer training materials support direct, induced, and contributory infringement. The amended complaint asserted an unjust enrichment claim based on the alleged retention of benefits from the same conduct.

PROCEDURAL HISTORY

Plaintiffs filed suit on May 19, 2023, and filed an amended complaint on August 28, 2023. Defendant filed a partial motion to dismiss, the parties briefed the motion, and the court held oral argument on April 24, 2024. The court previously entered an electronic order denying the motion, but this memorandum superseded that ruling as to unjust enrichment and granted dismissal of Count XII while denying the motion as to the remaining challenged claims.

DISPOSITION

other

CASES CITED

- *Ruivo v. Wells Fargo Bank, N.A.*, 766 F.3d 87, 90 (1st Cir. 2014)
- *Cardigan Mt. Sch. v. N.H. Ins. Co.*, 787 F.3d 82, 84 (1st Cir. 2015)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556, 570 (2007)
- *García-Catalán v. U.S.*, 734 F.3d 100, 102-03 (1st Cir. 2013)
- *Trans-Spec Truck Serv., Inc. v. Caterpillar Inc.*, 524 F.3d 315, 320 (1st Cir. 2008)
- *Garita Hotel Ltd. P'ship v. Ponce Fed. Bank, F.S.B.*, 958 F.2d 15, 17 (1st Cir. 1992)
- *Bot M8 LLC v. Sony Corp. of Am.*, 4 F.4th 1342, 1352-53 (Fed. Cir. 2021)
- *AnywhereCommerce, Inc. v. Ingenico, Inc.*, 517 F. Supp. 3d 45, 48-49, 52 (D. Mass. 2021)
- *Lone Star Silicon Innovations LLC v. Nanya Tech. Corp.*, 925 F.3d 1225, 1229, 1235-36 (Fed. Cir. 2019)
- *Lexmark Int'l, Inc. v. Static Control Components, Inc.*, 572 U.S. 118, 128 n.4 (2014)
- *Sicom Sys., Ltd. v. Agilent Techs., Inc.*, 427 F.3d 971, 976 (Fed. Cir. 2005)
- *Calgon Corp. v. Nalco Chem. Co.*, 726 F. Supp. 983, 985 (D. Del. 1989)
- *Propat Int'l Corp. v. Rpost, Inc.*, 473 F.3d 1187, 1189 (Fed. Cir. 2007)
- *Alps S., LLC v. Ohio Willow Wood Co.*, 787 F.3d 1379, 1382-83 (Fed. Cir. 2015)
- *Waterman v. Mackenzie*, 138 U.S. 252, 256 (1891)
- *Alfred E. Mann Found. for Sci. Research v. Cochlear Corp.*, 604 F.3d 1354, 1359 (Fed. Cir. 2010)
- *AsymmetRx, Inc. v. Biocare Med., LLC*, 582 F.3d 1314, 1321 (Fed. Cir. 2009)
- *Immunex Corp. v. Sandoz Inc.*, 964 F.3d 1049, 1057, 1060-62 (Fed. Cir. 2020)
- *PerkinElmer Health Scis., Inc. v. Agilent Techs., Inc.*, 932 F. Supp. 2d 207, 210 (D. Mass. 2013)
- *Vaupel Textilmaschinen KG v. Meccanica Euro Italia S.P.A.*, 944 F.2d 870, 875-76 (Fed. Cir. 1991)
- *Unique Coupons, Inc. v. Northfield Corp.*, 12 F. App'x 928, 934 (Fed. Cir. 2001)

- Sunrise Techs., Inc. v. Cimcon Lighting, Inc., 219 F. Supp. 3d 260, 263 (D. Mass. 2016)
- Rampage LLC v. Global Graphics SE, No. 16-CV-10691-ADB, 2017 WL 239328, at *3 (D. Mass. Jan. 19, 2017)
- DS Advanced Enterprises v. Ledvance LLC, 775 F. Supp. 3d 599, 607 (D. Mass. 2025)
- K-Tech Telecomm., Inc. v. Time Warner Cable, Inc., 714 F.3d 1277, 1284 (Fed. Cir. 2013)
- In re Bill of Lading Transmission & Processing Sys. Patent Litig., 681 F.3d 1323, 1333, 1337 (Fed. Cir. 2012)
- Dynacore Holdings Corp. v. U.S. Philips Corp., 363 F.3d 1263, 1273 (Fed. Cir. 2004)
- WBIP, LLC v. Kohler Co., 829 F.3d 1317, 1340 (Fed. Cir. 2016)
- WCM Indus., Inc. v. IPS Corp., 721 F. App'x 959, 970 (Fed. Cir. 2018)
- SiOnyx, LLC v. Hamamatsu Photonics K.K., 330 F. Supp. 3d 574, 608-10 (D. Mass. 2018)
- Canon, Inc. v. Avigilon USA Corp. Inc., 411 F. Supp. 3d 162, 164-66 (D. Mass. 2019)
- Linear Tech. Corp. v. Impala Linear Corp., 379 F.3d 1311, 1326 (Fed. Cir. 2004)
- Commil USA, LLC v. Cisco Sys., Inc., 575 U.S. 632, 639 (2015)
- Aro Mfg. Co. v. Convertible Top Replacement Co., 377 U.S. 476, 488 (1964)
- Timmins Software Corp. v. EMC Corp., 502 F. Supp. 3d 595, 603 (D. Mass. 2020)
- Massachusetts Eye & Ear Infirmary v. QLT Phototherapeutics, Inc. (II), 552 F.3d 47, 57 (1st Cir. 2009)
- Massachusetts Eye & Ear Infirmary v. QLT Phototherapeutics, Inc. (I), 412 F.3d 215, 234 (1st Cir. 2005)
- Fox v. F & J Gattozzi Corp., 672 N.E.2d 547, 552 (Mass. App. Ct. 1996)
- Blake v. Pro. Coin Grading Serv., 898 F. Supp. 2d 365, 390 (D. Mass. 2012)
- Lass v. Bank of Am., N.A., 695 F.3d 129, 140 (1st Cir. 2012)
- Shaulis v. Nordstrom, Inc., 865 F.3d 1, 16 (1st Cir. 2017)
- Astellas Inst. for Regenerative Med. v. ImStem Biotechnology, Inc., 458 F. Supp. 3d 95, 106 (D. Mass. 2020)
- Fernandes v. Havkin, 732 F. Supp. 2d 103, 114 (D. Mass. 2010)
- Reed v. Zipcar, Inc., 883 F. Supp. 2d 329, 334 (D. Mass. 2012)
- One Wheeler Road Assocs. v. Foxboro Co., 843 F. Supp. 792, 799 (D. Mass. 1994)

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