

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SK NEXILIS CO., LTD.,

Plaintiff,

V.

SOLUS ADVANCED MATERIALS CO., LTD., VOLTA ENERGY SOLUTIONS S.A.R.L., VOLTA ENERGY SOLUTIONS EUROPE KFT., VOLTA ENERGY SOLUTIONS HUNGARY KFT., *and* VOLTA ENERGY SOLUTIONS CANADA INC.,

Defendants.

CASE NO. 2:23-CV-00539-JRG-RSP

SOLUS ADVANCED MATERIALS CO.,
LTD., VOLTA ENERGY SOLUTIONS
S.A.R.L., VOLTA ENERGY SOLUTIONS
EUROPE KFT., VOLTA ENERGY
SOLUTIONS HUNGARY KFT., *and*
VOLTA ENERGY SOLUTIONS
CANADA INC.,

S.A.R.L., VOLTA ENERGY SOLUTIONS
EUROPE KFT., VOLTA ENERGY
SOLUTIONS HUNGARY KFT., *and*
VOLTA ENERGY SOLUTIONS
CANADA INC.,

EUROPE KFT., VOLTA ENERGY
SOLUTIONS HUNGARY KFT., *and*
VOLTA ENERGY SOLUTIONS
CANADA INC.,

SOLUTIONS HUNGARY KFT., *and*
VOLTA ENERGY SOLUTIONS
CANADA INC.,

VOLTA ENERGY SOLUTIONS
CANADA INC.,

CANADA INC.,

Defendants.

ORDER

ORDER

Defendants Solus Advanced Materials Co., Volta Energy Solutions Canada Inc., Volta Energy Solutions Europe KFT, Volta Energy Solutions Hungary KFT, and Volta Energy Solutions S.A.R.L. (“Defendants”) previously filed a Motion for Summary Judgment That the ’541 and ’090 Patents are Directed to Unpatentable Subject Matter Under 35 U.S.C. § 101, *Alice* Step One (“*Alice* Motion”) (Dkt. No. 144), a Motion for Summary Judgment of No Willfulness (“Willfulness Motion”) (Dkt. No. 143), and a Motion for Summary Judgment of No Pre-Suit Damages (“Damages Motion”) (Dkt. No. 139) (collectively, the “Motions”). Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 347), recommending denial of the *Alice* Motion. Judge Payne also entered a Report and Recommendation (Dkt. No. 359) recommending denial of the Willfulness Motion and granting of the Damages Motion. Plaintiff has now filed Objections (Dkt. No. 363), as have Defendants (Dkt. No. 364.)

After conducting a *de novo* review of the briefing on the Motions, the Reports and Recommendations, and the briefing on Plaintiff and Defendants' Objections, the Court agrees with

the reasoning provided within the Reports and Recommendations (Dkt. Nos. 347, 359) and concludes that the Objections (Dkt. Nos. 363, 364) fail to show that they were erroneous.

Consequently, the Court **OVERRULES** Plaintiff's Objections (Dkt. No. 363) and **ADOPTS** the Report and Recommendation (Dkt. Nos. 359) and **ORDERS** that the Willfulness Motion (Dkt. No. 143) is **DENIED** and that the Damages Motion (Dkt. No. 139) is **GRANTED** as to no pre-suit damages under § 287(a) for U.S. Patent Nos. 9,457,541, 10,480,090, 10,811,689, 11,346,014, and 11,591,706 and **DENIED** otherwise.

Additionally, the Court **OVERRULES** Defendants' Objections (Dkt. No. 364) and **ADOPTS** the Report and Recommendation (Dkt. Nos. 347) and **ORDERS** that the *Alice* Motion (Dkt. No. 144) is **DENIED**, having found that the asserted claims of U.S. Patent Nos. 9,457,541 and 10,480,090 are not directed to ineligible subject matter at Step One of *Alice*.

So ORDERED and SIGNED this 17th day of April, 2026.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE