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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

j2 GLOBAL COMMUNICATIONS INC.,	)	Case No. CV 09-04150 DDP (AJWx)
	)	
Plaintiff,	)	<b>ORDER DENYING MOTION FOR</b>
	)	<b>RECONSIDERATION OF COURT'S MARCH</b>
v.	)	<b>4, 2011 CLAIM CONSTRUCTION ORDER</b>
	)	[Motion filed on 05/19/2011]
CAPTARIS INC., et al.,	)	
	)	
Defendants.	)	
_____	)	

This matter comes before the court on Defendants' Captaris Inc. and Open Text Corporation's (together "Captaris") Motion for Reconsideration of Courts March 4, 2011 Claim Construction Order. After reviewing and considering the materials submitted by the parties, the court denies the motion.

Captaris moves for reconsideration of this court's claim construction order of March 4, 2011. Captaris urges the court to reconsider this decision with regard to four terms. (Captaris' Motion for Reconsideration 1:16 - 3:16.)

Motions for reconsideration are governed by Local Rule 7-18:

A motion for reconsideration of the decision on any motion may be made only on the grounds of (a) a material difference in fact or law from that presented to the Court before such decision that in the exercise of reasonable

1 diligence could not have been known to the  
2 party moving for reconsideration at the time  
3 of such decision, or (b) the emergence of new  
4 material facts or a change of law occurring  
5 after the time of such decision, or (c) a  
6 manifest showing of a failure to consider  
7 material facts presented to the Court before  
8 such decision. No motion for reconsideration  
9 shall in any manner repeat any oral or written  
10 argument made in support of or in opposition  
11 to the original motion.

12 Here, there is no evidence of a material difference in fact or  
13 law from that originally presented to the court. Further, nothing  
14 has developed in regards to this issue since the decision was  
15 issued. Finally, Captaris does not claim that this court failed to  
16 consider material facts presented at summary judgment. In fact,  
17 the motion does little more than recite the allegations of the  
18 pleadings. The motion, therefore, does not comply with Local Rule  
19 7-18.

20 Moreover, the court finds that Captaris' evidence in support  
21 of its preferred constructions of the terms "access request,"  
22 "user-specific message storage area," "inbound address uniquely  
23 associated with a user account," and "audio message" is  
24 insufficient to warrant any change in the court's position on this  
25 matter.

26 The motion for reconsideration is therefore DENIED.

27 IT IS SO ORDERED.

28 Dated: July 19, 2011

  
DEAN D. PREGERSON  
United States District Judge