

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

DATATREASURY CORPORATION,

Plaintiff

v.

WELLS FARGO & COMPANY, ET AL.,

Defendants

2:06-CV-72 DF

**ORDER GRANTING DEFENDANT BANK OF AMERICA'S MOTION FOR
SUMMARY JUDGMENT FOR CLAIM INVALIDITY BASED ON
INDEFINITENESS OF U.S. PATENT NO. 5,265,007**

On this day came on to be considered Defendants Bank of America Corp.'s and Bank of America, N.A.'s Motion for Summary Judgment for Claim Invalidity Based on Indefiniteness of U.S. Patent No. 5,265,007. After careful consideration, the Motion is GRANTED. The Court finds that U.S. Patent No. 5,265,007 is invalid as a matter of law because it fails to meet the definiteness requirement of 35 U.S.C. § 112, ¶¶ 2 and 6.

Dated: