

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

FUNCTION MEDIA, L.L.C.

Plaintiff,

vs.

GOOGLE INC. AND YAHOO, INC.

Defendants.

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Civil Action No. 2007-CV-279

**FILED UNDER SEAL**

**JURY TRIAL DEMANDED**

**ORDER**

Before the Court is Plaintiff's Function Media's Motion for Judgment on the Pleadings Regarding Google's Inequitable Conduct Allegations. After reviewing the Motion and evidence submitted, the Court finds that the Motion for Judgment on the Pleadings should be and hereby is **GRANTED.**

Accordingly, this Court grants judgment in favor of Function Media and against Google on Google's Tenth Affirmative Defense, Google's Eleventh Affirmative Defense, on Count III of Google's Counterclaims, and with respect to all relief requested by Google relating to any allegations by Google of inequitable conduct by Function Media.

Leave to amend is hereby denied.