

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

POLARIS IP, LLC,

Plaintiff,

vs.

- (1) GOOGLE INC.;
(2) YAHOO! INC.;
(3) AMAZON.COM, INC.;
(4) A9.COM, INC.;
(5) BORDERS, INC.;
(6) BORDERS GROUP INC.;
(7) AOL LLC;
(8) AMERICA ONLINE, INC.;
(9) IAC/INTERACTIVECORP; and
(10) IAC SEARCH AND MEDIA, INC.,

Defendants.

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Civil Action No. 2:07-cv-371-TJW-CE

JURY TRIAL DEMANDED

ORDER GRANTING GOOGLE INC.'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT; MOTION TO STRIKE, AND MOTION TO STAY DISCOVERY

This matter came before the Court pursuant to Defendant Google Inc.'s Motion to Dismiss for Failure to State a Claim Pursuant to Fed.R.Civ.P. 12(b)(6), or in the Alternative, for a More Definite Statement; Motion to Strike, and Motion for Stay of Discovery. Based on the briefs, supporting papers and proceedings herein, and for good cause shown, Defendant's Motion is hereby GRANTED as follows.

IT IS HEREBY ORDERED THAT:

[1. Plaintiff Polaris IP LLC's claims for willful infringement, inducement, and contributory infringement as to Google Inc. are dismissed for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6);]

[2. Plaintiff Polaris IP LLC's prayers for relief as to Google Inc., including those related to indirect infringement and willful infringement, are stricken.]

[Alternative: Under Fed. R. Civ. P. 12(e), Plaintiff Polaris IP LLC has \_\_\_\_\_ days from the date of this ORDER to file and serve an Amended Complaint to provide a more definite statement of the allegations presented in its claims for willful infringement, inducement, and contributory infringement.]