

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

IP INNOVATION L.L.C. and
TECHNOLOGY LICENSING
CORPORATION

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Case No. 2:07-cv-503-RRR

**ORDER DENYING MOTION TO RECONSIDER OR, IN THE ALTERNATIVE,
CERTIFICATION OF QUESTIONS FOR INTERLOCUTORY APPEAL**

Before the Court is Defendant Google Inc.'s ("Google") Motion to Reconsider or, In the Alternative, Certifications of Questions for Interlocutory Appeal ("motion to reconsider") (Docket No. 84). This court previously denied Google's Motion to Dismiss for Lack of Standing ("motion to dismiss") on September 21, 2009. Google filed its motion to reconsider on October 5, 2009, and the issue was fully briefed as of October 28, 2009. This case was transferred to me from Judge Davis on December 21, 2009 (Docket No. 100), and I heard the parties' oral arguments on Google's motion on December 30, 2009.

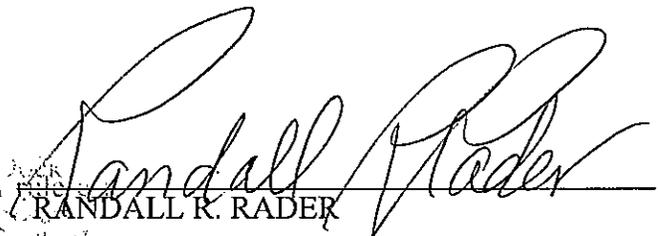
This court has considered the parties oral arguments and written submissions. While the arguments in Google's original motion to dismiss are well taken, this court detects no "manifest errors of law or fact" that would provide justification to reconsider Judge Davis's thorough

opinion. Lupo v. Wyeth-Ayerst Labs., 4 F.Supp.2d 642, 645 (E.D. Tex. 1997) (quoting Waltman v. Int'l Paper Co., 875 F.2d 468, 473 (5th Cir. 1989)). Nor does this court perceive a “pure issue of law, i.e., a question the appellate court can rule efficiently on without making an intensive inquiry into the record.” Software Rights Archive, LLC v. Google, Inc., 2009 U.S. Dist. LEXIS 53356, No. 07-511 (E.D. Tex. June 24, 2009) (citing Arenholz v. Board of Trustees of Univ. of Illinois, 219 F.3d 674, 676-77 (7th Cir. 2000)). Accordingly, it would not be appropriate to certify any of Google’s proposed questions for interlocutory appeal.

This court therefore finds that Google’s motion for reconsideration should be DENIED.

It is SO ORDERED.

SIGNED this 6th day of January, 2010.


RANDALL R. RADER

UNITED STATES CIRCUIT JUDGE (sitting
by designation)