

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

PERSONALIZED MEDIA  
COMMUNICATIONS, LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS AMERICA,  
INC. & SAMSUNG ELECTRONICS CO.,  
LTD.,

Defendants.


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Case No. 2:15-cv-1754-JRG-RSP

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of Magistrate Judge Payne (Dkt. No. 93) concluding that Samsung’s Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim (Dkt. 23) be denied because the asserted patents are directed to patent-eligible subject matter under 35 U.S.C. § 101. After reviewing the record and the objections *de novo*, the Court finds that the Magistrate Judge’s Report and Recommendation should be **ADOPTED**. (Dkt. No. 93.) Accordingly, Defendant’s Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim (Dkt. No. 23) is **DENIED**.

**So ORDERED and SIGNED this 29th day of September, 2016.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE