

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

HUAWEI TECHNOLOGIES CO. LTD,	§	
	§	Case No. 2:16-CV-00052-JRG-RSP
v.	§	
	§	
T-MOBILE US, INC., T-MOBILE U.S.A.,	§	
INC.,	§	

**ORDER**


Magistrate Judge Payne issued a report recommending that T-Mobile's motion for partial summary judgment of no pre-suit damages be granted. No objections were filed, and the time to do so has now passed. See Fed. R. Civ. P. 72(b)(2). Having considered the Report and Recommendation de novo, the Court finds no reason to reject or modify the recommended disposition. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C).

Accordingly,

It is **ORDERED**:

- (1) Magistrate Judge Payne's Report and Recommendation, Dkt. 361, is **ADOPTED**.
- (2) T-Mobile's motion for partial summary judgment, Dkt. 256, is **GRANTED**.
- (3) The damages period for any infringement of the '339 patent may begin no earlier than the date the complaint was filed, January 15, 2016.

**So ORDERED and SIGNED this 20th day of September, 2017.**

  
 \_\_\_\_\_  
 RODNEY GILSTRAP  
 UNITED STATES DISTRICT JUDGE