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

INTELLECTUAL VENTURES II LLC,	§
	§
Plaintiff,	§
	§ Case No. 2:17-CV-00662-JRG-RSP
v.	§ LEAD CASE
	§ LEAD CASE
SPRINT SPECTRUM, L.P. ET AL,	§
	§
Defendants.	§
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T-MOBILE USA, INC. ET AL,	S Case No. 2:17-CV-00661-JRG-RSP
,	8
Consolidated Defendants.	§
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ORDER

Defendants previously filed a Motion for Summary Judgment of No Willful Infringement. (Dkt. No. 299.) Magistrate Judge Payne entered a Report and Recommendation dated April 12, 2019, recommending that Defendants' Motion be granted for pre-suit willfulness but denied for willfulness claims after the filing of the complaint. (Dkt. No. 441.) Presently before the Court are Defendants' Rule 72 Objections to Order on Motion for Summary Judgment of No Willful Infringement. (Dkt. No. 476.)

After reviewing Defendants objections, the Report and Recommendation, and the underlying briefing, the undersigned agrees with the reasoning provided within the Report and Recommendation. Defendants' Objections are therefore **OVERRULED**, and the Magistrate Judge's Recommendation is **ADOPTED**. **IT IS THEREFORE ORDERED** that Defendants' Sealed Motion for Summary Judgment of No Willful Infringement (Dkt.

No. 299) is **GRANTED IN PART**, with summary judgment being **GRANTED** for claims of willful infringement before September 21, 2017, which was the day that the complaint was filed. Summary judgment is **DENIED** for willful infringement claims on or after September 21, 2017.

So ORDERED and SIGNED this 2nd day of May, 2019.

RODNEY GILSTRAP

UNITED STATES DISTRICT JUDGE