

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

MOBILE EQUITY CORP.,

*Plaintiff,*

v.

WALMART INC.,

*Defendant.*

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Case No. 2:21-cv-00126-JRG-RSP

**ORDER**

Defendant Walmart Inc. previously filed a Motion for Summary Judgment of No Pre-Suit Indirect Infringement (“Motion”) (Dkt. No. 204.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 362), recommending denial of Walmart’s Motion. Walmart has now filed Objections (Dkt. No. 368.)

After conducting a *de novo* review of the briefing on the Motion, the Report and Recommendation, and Walmart’s Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was erroneous. Consequently, the Court **OVERRULES** Walmart’s Objections and **ADOPTS** the Report and Recommendation and orders that the Motion (Dkt. No. 204) is **DENIED**.

**So ORDERED and SIGNED this 26th day of September, 2022.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE