UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS TYLER DIVISION

BEDROCK COMPUTER)
TECHNOLOGIES LLC,) CASE NO. 6:09–CV–00269
Plaintiff,) Hon. Leonard E. Davis
v.))
)
SOFTLAYER TECHNOLOGIES, INC., et al.,) JURY TRIAL DEMANDED
Defendants.)
))
)
)

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS CLAIMS 3, 4, 7 AND 8 OF U.S. PATENT NO. 5,893,120

Having considered the parties' briefing on Defendants' Motion To Stay This Action And Dismiss Amended Claims Pending Reexamination of U.S. Patent No. 5,893,120, the Court hereby **GRANTS** said Motion in part. It is therefore **ORDERED** that (1) claims 3, 4, 7, and 8 of the '120 patent are hereby dismissed with prejudice; (2) Bedrock must state by February 4, 2011 whether it intends to assert any of the new or amended claims in this action, (3) if Bedrock decides to add any of the amended or new claims, the Court will establish an expedited briefing schedule addressing the impact of those claims on this action, and (4) if Bedrock decides not to add any of the amended or new claims, Bedrock cannot assert those claims against Defendants in any future litigations. Defendants' Motion to Stay is withdrawn without prejudice.