

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

**BEDROCK COMPUTER,
TECHNOLOGIES, LLC**

Plaintiff,

v.

**SOFTLAYER TECHNOLOGIES,
INC., ET AL.**

Defendants.

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No. 6:09cv269 LED-JDL

JURY DEMANDED

ORDER

The above entitled civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Memorandum Opinion and Order of the Magistrate Judge (“Opinion”), which contains his findings regarding confidential designations and privilege issues (Doc. No. 352), has been presented for consideration. Defendants Match.com LLC and Google Inc. (collectively, “Defendants”) move for reconsideration of the Court’s Opinion. (Doc. No. 377). Plaintiff Bedrock Computer Technologies LLC (“Bedrock”) responded (Doc. No. 448) and Defendants replied (Doc. No. 454).

Defendants contend that Mr. Lotvin and Dr. Nemes made certain disclosures in February 2009 to Patent Profit International (“PPI”) that negate the “Highly Confidential” designation of certain information. The Court is not persuaded that Defendants are in a position to challenge the validity of a non-disclosure agreement to which Defendants are not a party.¹ Moreover, Defendants have failed to provide authority that persuades the Court that said disclosures to PPI waives

¹ See Opinion (Doc. No. 352) at 12, n.9. Bedrock contends any such disclosures were made pursuant to a non-disclosure agreement with PPI. See (Doc. No. 448) at 9.

confidentiality such that it justifies removal of the “Highly Confidential” designation.

Having reviewed the parties’ submissions, the Court is of the opinion that the Magistrate Judge’s findings regarding the issues in dispute are correct. The Court hereby **ADOPTS** the Opinion of the United States Magistrate Judge as the opinion of this Court. All objections are overruled and all motions for reconsideration are **DENIED**.

So ORDERED and SIGNED this 23rd day of February, 2011.

A handwritten signature in black ink, appearing to read "Leonard Davis", written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**