

**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**

On February 16, 2011, the Court held a status conference to discuss how the above styled case is to proceed to trial. Having considered the parties’ positions, the Court **ORDERS** as follows:

- (1) Plaintiff Bedrock Computer Technologies, LLC (“Bedrock”) has the option to have a trial as to invalidity of U.S. Patent No. 5,893,120 on April 11, 2011 against all Defendants.<sup>1</sup> Should Bedrock choose to proceed with an invalidity trial first, Bedrock shall notify the Court no later than March 11, 2011.
- (2) Should Bedrock choose to forego the option to try invalidity on April 11, 2011, Bedrock will then proceed to trial on April 11, 2011 against Defendants Google Inc. and Match.com, Inc.
- (3) Trial against the remaining defendants, Yahoo! Inc., MySpace Inc., Amazon.com Inc., AOL Inc., and Softlayer Technologies, Inc., will occur as soon thereafter as the Court’s business permits.
- (4) Deadlines and pretrial setting remain the same as to all Defendants regardless of which

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<sup>1</sup> Jury selection is on April 4, 2011.

option Bedrock chooses.

- (5) In all trials, the issue of willfulness will be bifurcated from the other issues. If necessary, the issue of willfulness will be tried immediately following the trial on infringement, in front of the same jury.<sup>2</sup>

**So ORDERED and SIGNED this 2nd day of March, 2011.**

  
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JOHN D. LOVE  
UNITED STATES MAGISTRATE JUDGE

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<sup>2</sup> The Court will carry the motions regarding willfulness to trial.