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

SMARTFLASH LLC, *et al.,*	§	
	§	
Plaintiffs,	§	CASE NO. 6:13cv447-JRG-KNM
	§	
v.	§	
	§	**JURY TRIAL DEMANDED**
APPLE INC., *et al.,*	§	
	§	
Defendants.	§	
	§	
SMARTFLASH LLC, *et al.,*	§	
	§	
Plaintiffs,	§	CASE NO. 6:13cv448-JRG-KNM
v.	§	
	§	**JURY TRIAL DEMANDED**
SAMSUNG ELECTRONICS CO., LTD.	§	
et al.,	§	
	§	
Defendants.	§	
	§	

ORDER

Before the Court are Apple's and Defendants' Motions for Summary Judgment Regarding Indefiniteness (6:13CV447, Doc. Nos. 269; 6:13CV448, Doc. No. 323) and the Magistrate Judge's Report and Recommendation (6:13CV447, Doc. No. 391; 6:13CV448 Doc. No. 437) recommending that the Motions be denied. Having considered Defendants' Objections to the Report and Recommendation Regarding Apple's and Defendants' Motions for Summary Judgment Regarding Indefiniteness (6:13CV447; Doc. No. 416; 6:13CV448, Doc. No. 449), and having conducted a *de novo* determination of those portions of the Report and Recommendation as to which objection was made, the Magistrate Judge correctly found that the terms "data carrier," "portable data carrier," and "payment data" are not indefinite as a matter of law. The Court does hereby adopt the findings and recommendations of the Magistrate Judge. Accordingly,

IT IS ORDERED that Apple's and Defendants' Motions for Summary Judgment of Regarding Indefiniteness (6:13CV447, Doc. Nos. 269; 6:13CV448, Doc. No. 323) are DENIED.

So ORDERED and SIGNED this 13th day of February, 2015.

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RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE