

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

**SMARTFLASH LLC, *et al.*,**

**Plaintiffs,**

**v.**

**APPLE INC., *et al.*,**

**Defendants.**

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CASE NO. 6:13cv447-JRG-KNM

**JURY TRIAL DEMANDED**

**SMARTFLASH LLC, *et al.*,**

**Plaintiffs,**

**v.**

**SAMSUNG ELECTRONICS CO., LTD.  
*et al.*,**

**Defendants.**

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CASE NO. 6:13cv448-JRG-KNM

**JURY TRIAL DEMANDED**

**ORDER**

Before the Court are Defendants' Motions for Summary Judgment Regarding Invalidity Under Sections 102, 103 (6:13CV447, Doc. Nos. 270; 6:13CV448, Doc. No. 325) and the Magistrate Judge's Report and Recommendation (6:13CV447, Doc. No. 388; 6:13CV448; Doc. No. 434) recommending that the Motions be denied. Having considered Defendants' Objections to the Report and Recommendation Regarding Defendants' Motions for Summary Judgment Regarding Invalidity (6:13CV447, Doc. No. 414; 6:13CV448, Doc. No. 448), and having conducted a *de novo* determination of those portions of the Report and Recommendation as to which objection was made, and finding no error therein, the Court does hereby adopt the findings and recommendations of the Magistrate Judge. Accordingly,

IT IS ORDERED that Defendants' Motions for Summary Judgment Regarding Invalidity Under Sections 102, 103 (6:13CV447, Doc. Nos. 270; 6:13CV448, Doc. No. 325) are DENIED.

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

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE