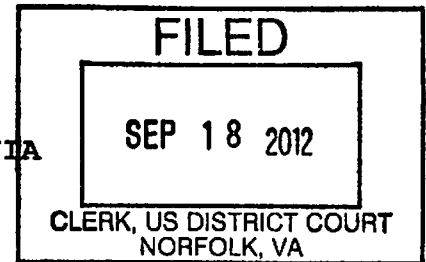


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



I/P ENGINE, INC.,

Plaintiff,

v.

Case No. 2:11cv512

AOL, INC., et al.,

Defendants.

ORDER

Before the Court are Plaintiff I/P Engine, Inc.'s Motion for Discovery Sanctions Regarding Untimely Disclosed Prior Art (ECF No. 200) and Google Inc.'s Motion to Compel Plaintiff to Produce Documents (ECF No. 209). On September 18, 2012, the Court held a hearing on these motions. Jeffrey K. Sherwood, Esq., and Kenneth W. Brothers, Esq., argued on behalf of the plaintiff, and David Perlson, Esq., argued on behalf of the defendants. The official court reporter was Gloria Smith.

For the reasons stated on the record, the Court ORDERS the following:

1. The plaintiff's motion for discovery sanctions (ECF No. 200) is DENIED.
2. Defendant Google Inc.'s motion to compel (ECF No. 209) is GRANTED in part and DENIED in part. The original motion requested relief with respect to four categories of documents:

(a) The motion sought to compel the production of

certain documents provided to potential investors by Innovate/Protect, Inc., the plaintiff's parent company. The motion is GRANTED in part and DENIED in part with respect to this category of documents. Within three days of the date of this Order, the plaintiff shall produce these documents to the defendant with financial information redacted, as stated on the record.

(b) The motion seeks to compel the production of a consulting agreement between Donald Kosak, one of two named inventors of the patents-in-suit, and Dickstein Shapiro LLP, counsel of record for the plaintiff. The parties resolved this dispute prior to the hearing. The motion is DENIED as MOOT with respect to this category of documents.

(c) The motion seeks to compel the production of certain documents from the records of Andrew K. Lang, the other named inventor of the patents-in-suit. The parties resolved this dispute prior to the hearing. The motion is DENIED as MOOT with respect to this category of documents.

(d) The motion seeks to compel the production of certain documents related to Dickstein Shapiro LLP's involvement on behalf of itself or clients other than the plaintiff in offering the patents-in-suit for sale, negotiating the sale of the patents-in-suit, and the actual sale of the patents-in-suit to the plaintiff. As stated on the record, the motion is DENIED with respect to this category of documents.

3. The parties shall each bear their own expenses with respect to these motions.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

Norfolk, Virginia

September 18, 2012