

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

EON CORP IP HOLDINGS, LLC.,

Plaintiff,

v.

LANDIS+GYR, INC., et al.,

Defendants.

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CASE NO. 6:11-CV-317-LED-JDL

JURY TRIAL REQUESTED

**REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Before the Court is Defendants’¹ Motion for Summary Judgment of Invalidity for Indefiniteness (Doc. No. 340) (“MTN.”). The matter has been fully briefed (Doc. Nos. 350, 359, 363). The sole issue presented for resolution is “whether the ‘reception’ claim element renders asserted claim 1 of the ‘491 patent invalid as indefinite because it does not recite any known structure.” MTN. at 1. In its Memorandum Opinion and Order, construing the term “reception for receiving and processing data messages from said set of local subscriber units,” the Court determined that the claim language recited sufficient structure—a local remote receiver. Accordingly, the Court has resolved this matter and **RECOMMENDS DENYING** Defendants’ Motion for Summary Judgment.

So ORDERED and SIGNED this 2nd day of May, 2013.


JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE

¹ Moving Defendants are Elster Solutions, LLC, EnergyICT, Inc., Elster Amco Water, LLC, Itron, Inc., Landis+Gyr Inc., Silver Spring Networks, Inc., and Trilliant Networks, Inc. (collectively “Defendants”).