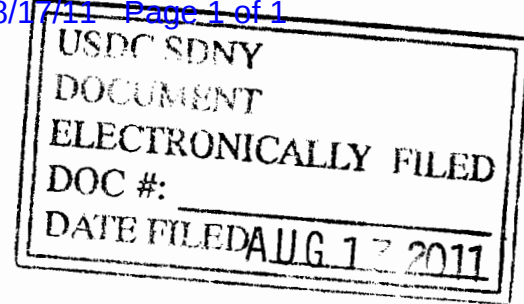




**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CONVOLVE, INC. and MASSACHUSETTS
INSTITUTE OF TECHNOLOGY,

Plaintiffs,

-against-

COMPAQ COMPUTER CORP. and SEAGATE
TECHNOLOGY LLC,

Defendants.

ORDER

00 Civ. 5141 (GBD)

GEORGE B. DANIELS, District Judge.

Compaq's motion for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c) is DENIED.

Seagate's motion for summary judgment pursuant to Fed. R. Civ. P. 56 is GRANTED in part and DENIED in part. Summary judgment is GRANTED as to trade secrets 1B, 2A, 2C, 2E, 2F, 3B, 3C, 3D, 6B, 7A and 7E. Summary judgment as to trade secrets 2B, 3A, 6A, 6C is DENIED. Summary judgment dismissing Convolve's patent claims is GRANTED. Summary judgment as to Convolve's prayer for injunctive relief and enhanced damages is GRANTED. Summary judgment dismissing Convolve's claim for breach of contract and breach of good faith and fair dealings is DENIED.

Compaq's motion for summary judgment pursuant to Fed. R. Civ. P. 56 is GRANTED.

Convolve's motion for partial summary judgment pursuant to Fed. R. Civ. P. 56 is DENIED.

Convolve's motion for summary judgment pursuant to Fed. R. Civ. P. 56(f) is DENIED.

Dated: August 16, 2011
New York, New York

SO ORDERED.



GEORGE B. DANIELS
UNITED STATES DISTRICT JUDGE