

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

SFA SYSTEMS, LLC,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	CASE NO. 6:09-CV-340
	§	
1-800-FLOWERS.COM, INC., et al.,	§	
	§	
Defendants.	§	
SFA SYSTEMS, LLC,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	CASE NO. 6:10-CV-300
	§	
BIGMACHINES, INC, et al.,	§	
	§	
Defendants.	§	
	§	

ORDER

Before the Court is Defendants’ Rule 72 Objections and Motion for Reconsideration (Docket No. 336). The matter has been fully briefed (Docket Nos. 336, 348 & 361).

Having reviewed the parties’ submissions, the Court is of the opinion that the Magistrate Judge’s construction of the disputed terms is correct, with the following clarification. The Magistrate Judge construed “inferring . . . a context” as “logical process by which the fact that information already existing within the system that becomes relevant upon the occurrence of an event is derived by application of logical rules.” Docket No. 333, at 17. Defendants object to the

construction because it “is unintelligible and does not appear to be grammatically or logically correct.” Docket No. 336, at 13.

The Magistrate Judge construed the term “context” as “information already existing within the system that becomes relevant upon the occurrence of an event.” Docket No. 333, at 16. The construction of “inferring . . . a context” incorporates this recommended construction of “context.” Thus, the construction for “inferring . . . a context” can be written more concisely as “logical process by which a *context* is derived by application of logical rules.” The Court shall present this alternate form of the construction of “inferring . . . a context” to the jurors and note that the term “context” has also been defined by the Court.

Accordingly, the Court **ADOPTS** the Opinion of the United States Magistrate Judge as the opinion of this Court, with the above clarifying comments. All objections are overruled and all motions for reconsideration are **DENIED**.

So ORDERED and SIGNED this 30th day of May, 2012.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE