

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

LENNON IMAGE  
TECHNOLOGIES, LLC

Plaintiff,

v.

MARY KAY INC.,

Defendant,

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CIVIL ACTION NO.  
3:15-CV-551-K

**ORDER**

Before the Court is Defendant’s Motion for Judgment on the Pleadings of Invalidity Under 35 U.S.C. § 101 (Doc. No. 49). The Court has carefully considered the arguments presented by the parties, including the notice of supplemental authority and response thereto, as well as the pleadings before the Court. The Court finds that the issues presented in the Motion cannot be resolved on the pleadings alone and clarification of the scope of the claims in the patent-in-suit through claim construction is required to assess the patentability of the asserted claim under 35 U.S.C. § 101. For this reason the Court **DENIES** the Motion **without prejudice** to raising these arguments again as presented in the motion, by an appropriate method, after the Court has construed the terms of the claim at issue in this case.

**SO ORDERED.**

Signed March 6<sup>th</sup>, 2019.

  
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UNITED STATES DISTRICT JUDGE