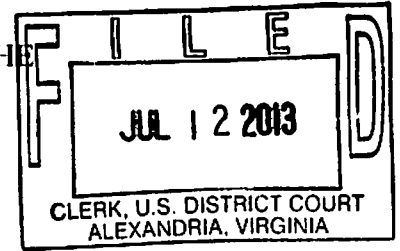


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION



VERSATA DEVELOPMENT CORP., )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TERESA STANEK REA, )  
Acting Under Secretary of )  
Commerce for Intellectual Property and )  
Acting Director of the United States )  
Patent and Trademark Office, )  
 )  
Defendant, )  
 )  
SAP AMERICA & SAP AG, )  
 )  
Defendant-Intervenors. )

Case No. 1:13-cv-328-GBL-IDD

**ORDER**

THIS MATTER is before the Court on Defendant’s Motion to Dismiss for Lack of Subject Matter Jurisdiction (Doc. 16), Defendant’s Motion to Dismiss for Failure to State a Claim (Doc. 17), and Intervenors’ Motion to Dismiss, also for lack of subject matter jurisdiction (Doc. 39). For the reasons to be stated in a forthcoming Memorandum Opinion and Order,

**IT IS HEREBY ORDERED** that Defendant’s Motion to Dismiss for Lack of Subject Matter Jurisdiction (Doc. 16) and Intervenors’ Motion to Dismiss (Doc. 39) are **GRANTED**;

**IT IS FURTHER ORDERED** that Defendant’s Motion to Dismiss for Failure to State a Claim (Doc. 17) is **DENIED** as moot;

**IT IS FURTHER ORDERED** that Plaintiff’s Complaint is hereby **DISMISSED without prejudice**.

This Order does not constitute a final judgment, and the time for appeal will not run until the Court issues the Memorandum Opinion and Order setting forth its reasoning.

**IT IS SO ORDERED.**

ENTERED this 12 day of July, 2013.

Alexandria, Virginia

7/12/2013

*/s/*

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Gerald Bruce Lee  
United States District Judge