

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

3M COMPANY, *et al.*

Plaintiffs,

v.

KERR CORPORATION,

Defendant.

ORDER

07-C-87-C

In response to this court's March 12, 2007 order, 3M has submitted for *in camera* review the documents listed in the privilege log contained in counsel's March 16, 2007 letter to the court. *See* dkts. 22 and 25 (sealed). 3M also notes that in patent lawsuits, the Federal Circuit applies its own law to the question whether the attorney client privilege applies to an invention record prepared and submitted to in-house counsel relating to a litigated patent. *In re Spalding Sports Worldwide, Inc.*, 203 F.3d 800, 803 (Fed. Cir. 2000). I have reviewed all four submitted documents and they clearly fall within the privilege recognized by the Federal Circuit. *See id.* at 805-06. Therefore, 3M need not disclose them to Kerr.

Entered this 26th day of March, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge