

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

BRUCE A. ROGERS,
Plaintiff-Appellant,

v.

TRISTAR PRODUCTS, INC.,
Defendant-Appellee,

AND

UNITED STATES,
Defendant-Cross-Appellant.

2011-1494, -1495

Appeals from the United States District Court for the Eastern District of Pennsylvania in case no. 11-CV-1111, Judge Eduardo C. Robreno.

ON MOTION

O R D E R

The United States moves for a stay of proceedings pending this court's decision in *FLFMC v. Wham-O*, No. 2011-1067, and *Unique Prod. Solutions v. Hy-Grade Valve, Inc.*, Nos. 2011-1254, -1284.

On September 16, 2011, the President signed into law the Leahy-Smith America Invents Act, H.R. 1249, 112th Cong. (1st Sess. 2011), amending 35 U.S.C. § 292 and including the following text regarding the effective date of this provision: "The amendments made by this subsection shall apply to all cases, without exception, that are pending on, or commenced on or after, the date of the enactment of this Act." Leahy-Smith America Invents Act, § 16(b)(4).

Accordingly,

IT IS ORDERED THAT:

(1) The motion is granted. The briefing schedule is stayed.

(2) Each party shall advise the court within 21 days of the date of this order of the effect of this legislation on the status of this case.

(3) The response shall contain any necessary motion deemed appropriate by the party, but may not exceed 15 pages.

FOR THE COURT

SEP 23 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Edward T. Kang, Esq.
Edward P. Bakos, Esq.
Douglas N. Letter, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

SEP 23 2011

JAN HORBALY
CLERK