

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-1352

TRIANTAFYLLOS TAFAS,

Plaintiff-Appellee,

and

SMITHKLINE BEECHAM CORPORATION (doing business as
GlaxoSmithKline), SMITHKLINE BEECHAM PLC, and GLAXO GROUP LIMITED
(doing business as GlaxoSmithKline),

Plaintiffs-Appellees,

v.

DAVID J. KAPPOS, Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office, and
UNITED STATES PATENT AND TRADEMARK OFFICE,

Defendants-Appellants.

Appeal from the United States District Court for the Eastern District of Virginia
in consolidated case nos. 1:07-CV-846 and 1:07-CV-1008,
Senior Judge James C. Cacheris.

ORDER

Upon consideration of the court's July 28, 2009 order granting the parties' joint
motion for a stay of en banc proceedings,

IT IS ORDERED THAT:

Absent further order of this court, the appellants' additional en banc brief is due
within 60 days of the date of filing of this order. Absent further order of this court, the
parties shall file the required copies of their original briefs within 60 days of the date of

filing of this order. The remaining brief due dates should be calculated in compliance with this court's July 6, 2009 order.

FOR THE COURT

August 21, 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Steven J. Moore, Esq.
John M. Desmarais, Esq.
James A. Toupin, Esq.