

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2009-1115, -1246

GEORGE E. KERSEY,

Plaintiff-Appellant,

v.

COMMISSIONER OF PATENTS AND TRADEMARKS,

Defendant-Appellee.

Appeals from the United States District Court for the District of Columbia in case nos. 1:06-MC-416 and 1:07-MC-302, Judge Emmett G. Sullivan.

### ORDER

The court considers whether to grant George E. Kersey an extension of time to file his brief.

Kersey submitted an informal brief on January 5, 2009. However, the court's March 4, 2009 order required Kersey to file a brief limited to the issue of the district court's denial of Kersey's in forma pauperis motion. Thus, Kersey's January 5 brief is rejected for filing and Kersey is directed to file a replacement brief.

Accordingly,

IT IS ORDERED THAT:

- (1) Kersey's January 5 brief is rejected for filing.

(2) Kersey is directed to file a replacement brief within 30 days of the date of filing of this order or his appeal will be dismissed.

(3) The Commissioner of Patents and Trademarks' brief due date should be calculated from the date of service of Kersey's replacement brief.

FOR THE COURT

APR 14 2009

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

cc: George E. Kersey  
Alan Burch, Esq.

APR 14 2009

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JAN HORBALY  
CLERK