

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1348

TELECOMMUNICATIONS SYSTEMS, INC.,

Plaintiff-Appellee,

v.

MOBILE 365, INC.,

Defendant-Appellant.

Appeal from the United States District Court for the Eastern District of Virginia in case no. 3:06-CV-485, Chief Judge James R. Spencer.

ON MOTION

Before GAJARSA, Circuit Judge.

ORDER

Mobile 365, Inc. moves for judicial notice of an office action in a reexamination proceeding before the United States Patent and Trademark Office. Telecommunications Systems Inc. responds. Mobile 365, Inc. replies.

Judicial notice may be appropriate with respect to documents issued by administrative agencies. However, the relevance of such materials is left to the discretion of the merits panel.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion for judicial notice is granted.

(2) A copy of this order shall be transmitted to the merits panel assigned to hear this case.

FOR THE COURT

OCT 01 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Raymond P. Niro, Esq.
Donald R. Dunner, Esq.

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

OCT 01 2009

JAN HORBALY
CLERK