

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1348

TELECOMMUNICATION 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 LOURIE, Circuit Judge.

ORDER

Telecommunication Systems, Inc. (TSI) moves to strike portions of Mobile 365, Inc.'s (Mobile) principal brief. Mobile opposes. TSI replies.

As Mobile notes, Fed. Cir. R. 27(e) requires that motions to strike be included in a responsive brief if one is permitted. Therefore, TSI's arguments regarding materials included in Mobile's brief should have been made in TSI's responsive brief.

Accordingly,

IT IS ORDERED THAT:

TSI's motion to strike is denied.

FOR THE COURT

NOV 13 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

NOV 13 2009

JAN HORBALY
CLERK