

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-1368

WYETH HOLDINGS CORPORATION and WYETH,

Plaintiffs-Appellants,

v.

Kathleen Sebelius, SECRETARY OF HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF HEALTH AND HUMAN SERVICES,  
Dr. Margaret Hamburg, COMMISSIONER OF FOOD AND DRUGS,  
UNITED STATES FOOD AND DRUG ADMINISTRATION,  
David Kappos, ACTING 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-Appellees.

Appeal from the United States District Court for the District of Columbia in case nos. 08-  
CV-00981, Judge Henry H. Kennedy, Jr.

ON MOTION

## ORDER

The United States moves without opposition for an extension of time, until  
November 12, 2009, to file its brief and for an extension of time, until December 9,  
2009, for Wyeth Holdings Corporation and Wyeth to file their reply brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted.

**NOV 13 2009**

\_\_\_\_\_  
Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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

cc: Randolph D. Moss, Esq.  
Howard S. Scher, Esq.

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**NOV 13 2009**

**JAN HORBALY  
CLERK**