

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1445

SWAPALEASE, INC.,

Plaintiff-Appellant,

v.

SUBLEASE EXCHANGE.COM, INC.,

Defendant-Appellee.

Appeal from the United States District Court for the Southern District of Ohio
in case no. 07-CV-045, Judge Sandra S. Beckwith.

ON MOTION

Before GAJARSA, Circuit Judge.

ORDER

The parties jointly move for a stay of the briefing schedule pending reexamination proceedings at the United States Patent and Trademark Office (PTO) involving the patent-in-suit, or alternatively for an extension of time, until November 6, 2009, for Swapalease, Inc. to file its initial brief.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion for a stay is granted. The parties are directed to inform the court within 30 days of the PTO's final disposition how they believe this appeal should proceed.
- (2) The motion for an extension of time is moot.

SEP 18 2009

Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Brett Allen Schatz, Esq.
T. Earl LeVere, Esq.

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

SEP 18 2009

JAN HORBALY
CLERK