

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

THE PARADIGM ALLIANCE, INC.,
Plaintiff-Cross Appellant,

v.

**CELERITAS TECHNOLOGIES, LLC AND
CELERITASWORKS, LLC,**
Defendants-Appellants,

v.

KEN WILKERSON,
Third Party Defendant-Appellee.

2010-1446, -1449

Appeals from the United States District Court for the
District of Kansas in case no. 07-CV-1121, Judge Eric F.
Melgren.

ON MOTION

ORDER

Upon consideration of these recently docketed con-
solidated appeals, we consider whether to transfer this

matter to the United States Court of Appeals for the Tenth Circuit.

This court's jurisdiction depends on whether the plaintiff's complaint as amended establishes that either the federal patent law creates the cause of action or the plaintiff's right to relief necessarily depends on resolution of a substantial question of federal patent law, in that patent law is a necessary element of one of the well-pleaded claims. *Christianson v. Colt Indus. Operating Corp.*, 486 U.S. 800, 822-24 (1988); *Chamberlain Group v. Skylink Tech., Inc.*, 381 F.3d 1178, 1189 (Fed. Cir. 2004).

It does not appear that The Paradigm Alliance, Inc.'s complaint as amended includes a patent cause of action or necessarily depends on resolution of a substantial question of patent law.

Accordingly,

IT IS ORDERED THAT:

(1) The parties are directed to show cause why this case should not be transferred to the United States Court of Appeals for the Tenth Circuit pursuant to 28 U.S.C. § 1631.

(2) The briefing schedule is stayed.

FOR THE COURT

SEP 13 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Brian P. Baggott, Esq.
Barry L. Pickens, Esq.
Mark D. Katz, Esq.

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

SEP 13 2010

**JAN HORBALY
CLERK**