

NOTE: This order is nonprecedential.

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

MARTHA TROUT,
Plaintiff-Appellant,

v.

GARMIN INTERNATIONAL, INC.,
Defendant-Appellee,

AND

TOMTOM, INC.,
Defendant-Appellee.

2010-1488

Appeal from the United States District Court for the Northern District of Illinois in case no. 08-CV-3248, Judge Rebecca R. Pallmeyer.

ON MOTION

ORDER

Martha Trout, acting pro se, moves to be substituted for appellant SP Technologies, LLC. We treat this as a motion to reform the caption of the appeal. Trout also

moves for an extension of time to file a brief. Both motions are unopposed.

The district court granted summary judgment of invalidity of the patent in suit, U.S. Patent No. 6,784,873 ('873 patent) and entered judgment. SP Technologies appealed. Subsequently, SP Technologies filed a motion with the district court pursuant to Federal Rule of Civil Procedure 25(c) to substitute Trout for SP Technologies on the basis of an assignment of the '873 patent from SP Technologies to Trout, and for leave for SP Technologies' counsel to withdraw from the case beyond the still-pending "issues relating to the bills of cost." Defendant TomTom, Inc. opposed both the substitution and the withdrawal. The district court granted the motion to substitute Trout for SP Technologies, but denied leave for SP Technologies' counsel to withdraw. The district court action was recaptioned to add Trout and remove SP Technologies as plaintiff.

Accordingly,

IT IS ORDERED THAT:

(1) Trout's motion to reform the caption is granted. The revised official caption is reflected above.

(2) Trout's initial brief is due within 60 days from the date of filing of this order.

FOR THE COURT

MAR 24 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

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

MAR 24 2011

JAN HORBALY
CLERK

cc: B. Trent Webb, Esq.
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