

NOTE: This order is nonprecedential.

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

TDM AMERICA, LLC,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2010-5138

Appeal from the United States Court of Federal
Claims in case no. 06-CV-472, Judge Thomas C. Wheeler.

ON MOTION

O R D E R

Before Lourie, *Circuit Judge.*

TDM America, LLC (TDM) moves without opposition to stay the briefing schedule in this appeal pending reexamination of U.S. Patent Nos. 5,542,614 and 5,794,862 by the United States Patent and Trademark Office.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to stay the briefing schedule is granted. TDM is directed to inform the court within 21 days of a final decision concerning reexamination how it believes this appeal should proceed. The United States may also respond within that time.

(2) The motion for an extension of time is moot.

(3) The revised official caption is reflected above.

FOR THE COURT

SEP 09 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: David W. Denenberg, Esq.
Walter W. Brown, Esq.

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

SEP 09 2010

JAN HORBALY
CLERK