

NOTE: This order is nonprecedential.

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

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**IN RE BP LUBRICANTS USA INC.,**  
*Petitioner.*

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Miscellaneous Docket No. 960

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On Petition for Writ of Mandamus to the United States District Court for the Northern District of Illinois in case no. 10-CV-1258, Judge Robert W. Gettleman.

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**ON PETITION FOR WRIT OF MANDAMUS**

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Before PROST, *Circuit Judge.*

**O R D E R**

Intellectual Property Owners Association (IPOA) moves for leave to file a brief amicus curiae in support of the petition for a writ of mandamus filed by BP Lubricants USA Inc. The United States moves for an extension of time, until October 20, 2010, to consider whether the government wishes to participate as an amicus curiae in this case.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) IPOA's motion is granted. The amicus brief is due no later than October 1, 2010.

(2) The United States' motion is granted. Any amicus brief of the United States is due no later than October 20, 2010.

(3) The response of Thomas A. Simonian to the mandamus petition is due no later than November 1, 2010.

FOR THE COURT

SEP 24 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Russell E. Levine, Esq.  
Joseph M. Vanek, Esq.  
Herbert C. Wamsley, Esq.  
Steve Frank, Esq.  
Judge, N.D. Ill.  
Clerk, N.D. Ill.

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

SEP 24 2010

JAN HORBALY  
CLERK