

NOTE: This order is nonprecedential.

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

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**INNOVATIVE PATENTS, LLC AND FORCEFIELD,  
LLC,**  
*Plaintiffs-Appellants,*

v.

**BRAIN-PAD, INC.,**  
*Defendant-Appellee.*

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2010-1531

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Appeal from the United States District Court for the  
District of Delaware in case no. 07-CV-0680, Magistrate  
Judge Mary Patricia Thyng.

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**ON MOTION**

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Before RADER, *Chief Judge*, NEWMAN and BRYSON,  
*Circuit Judges.*

BRYSON, *Circuit Judge.*

**O R D E R**

Brain-Pad, Inc. moves to dismiss Innovative Patents,  
LLC and Forcefield, LLC (Innovative)'s appeal for failure  
to prosecute. Innovative has failed to respond.

After missing their initial deadline to file an entry of appearance, certificate of interest, and docketing statement, this court directed Innovative to file those items by October 12, 2010. Innovative has still failed to comply with that directive. Innovative has also failed to file its initial brief. Failure to comply with the court's rules, including the requirements for preparing and filing briefs and other papers may result in dismissal of an appeal for failure to prosecute. *See Julien v. Zeringue*, 864 F.2d 1572, 1574 (Fed. Cir. 1989).

Accordingly,

IT IS ORDERED THAT:

The motion to dismiss is granted.

APR 06 2011

Date

FOR THE COURT

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Jeffrey K. Martin, Esq.  
John C. Connell, Esq.

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Issued As A Mandate: APR 06 2011

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

APR 06 2011

**JAN HORBALY**  
**CLERK**