

NOTE: This order is nonprecedential

# United States Court of Appeals for the Federal Circuit

2009-1494

LEXION MEDICAL, LLC,

Plaintiff-Appellee,

v.

NORTHGATE TECHNOLOGIES, INC.,  
SMITH & NEPHEW, INC., and LINVATEC CORPORATION,

Defendants-Appellants.

Appeal from the United States District Court for the Northern District of  
Illinois in case no. 04-CV-5705, Judge Charles P. Kocoras.

ON MOTION

Before LINN, Circuit Judge.

## ORDER

Northgate Technologies, Inc. et al. (Northgate) move to stay proceedings in this appeal pending reexamination of the patent-in-suit by the United States Patent and Trademark Office. Lexion Medical, LLC opposes. Northgate replies.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

MAR 19 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: David G. Wille, Esq.  
Meredith Martin Addy, Esq.  
s19

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

MAR 19 2010

JAN HORBALY  
CLERK