

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1222
(Interference No. 105,602)

JONES L. ROBERTSON and ROBERT M. CURRIE,

Appellants,

v.

JOS TIMMERMANS and JEAN C. RAYMOND,

Appellees.

Appeal from the United States Patent and Trademark Office,
Board of Patent Appeals and Interferences.

ON MOTION

Before SCHALL, Circuit Judge.

ORDER

The appellants move for leave to accept their untimely submitted appendix. The appellees oppose. The appellant replies.

Pursuant to the rules governing proceedings in this court, it is the appellant's responsibility to prepare and timely file the required appendix. Fed. R. App. P. 30; Fed. Cir. R. 30. Although we accept the late appendix in this case, we note that future noncompliance with the rules by counsel may result in dismissal of a case. Fed. Cir. R. 45(a).

Accordingly,

IT IS ORDERED THAT:

The motion is granted.

FOR THE COURT

DEC 15 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Alton W. Payne, Esq.
Christian J. Garascia, Esq.

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

DEC 15 2009

JAN HORBALY
CLERK