

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/1/09

RECEIVED
AUG 27 2009
JUDGE SWEET CHAMBERS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COURTESY

-----X
ASSOCIATION FOR MOLECULAR
PATHOLOGY et al.,

Plaintiffs,

vs.

UNITED STATES PATENT AND TRADEMARK
OFFICE; et al.,

Defendants.
-----X

:
: 09-CV-4515 (RWS)

:
: ECF

:
: MOTION FOR LEAVE TO FILE
: BRIEF *AMICUS CURIAE*

PLEASE TAKE NOTICE that proposed *Amici Curiae* March of Dimes Foundation, Canavan Foundation, Claire Altman Heine Foundation, Massachusetts Breast Cancer Coalition, National Organization for Rare Disorders, and National Tay-Sachs & Allied Diseases Association shall move this Court, before the Honorable Robert W. Sweet, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York at a date and time to be determined by the Court, for leave to file a brief *amicus curiae*.

Attached hereto are: (1) Memorandum of Law in Support of this Motion for Leave to File a proposed brief *amicus curiae*, (2) proposed Order granting leave to file the proposed brief *amicus curiae*, and (3) the proposed brief *amicus curiae*.

Dated: August 26, 2009

DEWEY & LEBOEUF LLP

By: /s/ Mark D. Shtilerman

Barbara A. Caulfield (pending *pro hac vice*)

Michael J. Malecek (pending *pro hac vice*)

Stephen C. Holmes (pending *pro hac vice*)

Mark D. Shtilerman

Dewey & LeBoeuf LLP

1301 Avenue of Americas

New York, NY 10019-6092

212-259-8000 (phone)

212-259-6333 (fax)

bcaulfield@dl.com

mmalecek@dl.com

sholmes@dl.com

mshtilerman@dl.com

Attorneys for Amici Curiae, March of Dimes Foundation, Canavan Foundation, Claire Altman Heine Foundation, Massachusetts Breast Cancer Coalition, National Organization for Rare Disorders, National Tay-Sachs & Allied Diseases Association

*Sordered
Dune TUSD
8/31/09*