UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

ASSOCIATION FOR MOLECULAR PATHOLOGY, et al.,

09-CV-4515 (RWS) ECF

Plaintiffs.

ν.

UNITED STATES PATENT AND TRADEMARK OFFICE, et al.,

Defendants.

MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE

PLEASE TAKE NOTICE that proposed *Amici Curiae* the International Center for Technology Assessment, the Indigenous Peoples Council on Bicolonialism, Greenpeace, and the Council for Responsible Genetics 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*.

Respectfully submitted,

Dated: September 10, 2009

/s/Andrew Kimbrell__

Andrew Kimbrell

George Kimbrell (pending *pro hac vice*)

Zelig Golden

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