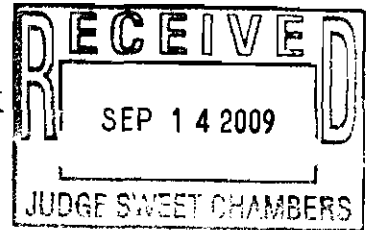


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



ASSOCIATION FOR MOLECULAR
PATHOLOGY, *et al.*,

Plaintiffs,

v.

UNITED STATES PATENT AND
TRADEMARK OFFICE, *et al.*,

Defendants.

09-CV-4515 (RWS)
ECF

**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

The International Center for Technology

Assessment

660 Pennsylvania Ave., Suite 302

Washington, D.C. 20003

202-547-9359 (phone)

202-547-9429 (fax)

kimbrell@icta.org

gkimbrell@icta.org

zeliggolden@icta.org

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/22/09

*S. Anderson d
Sweet
USDC
9.22.09*

/s/ Mark D. Risk

Mark Risk, P.C. (mdr 5823)

Local Counsel for Amicus Curiae

60 East 42nd Street, 47th Floor

New York, New York 10165

(212) 682-4100

*Counsel for Amicus Curiae the International Center
for Technology Assessment, Indigenous Peoples
Council on Bicolonialism, Greenpeace, and the
Council for Responsible Genetics*