

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSOCIATION FOR MOLECULAR PATHOLOGY,
ET AL.,

Plaintiffs,

v.

UNITED STATES PATENT AND TRADEMARK
OFFICE, *ET AL.*,

Defendants.

09 Civ. 4515 (RWS)

JAN 14 2010

ECF

MOTION FOR
LEAVE TO FILE
AMICUS CURIAE BRIEF

PLEASE TAKE NOTICE that proposed *Amicus Curiae* Boston Patent Law Association ("BPLA"), 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 an *amicus curiae* brief.

Submitted herewith are: (1) a Memorandum of Law in Support of this Motion for Leave to File *Amicus Curiae* Brief and (2) BPLA's proposed *amicus curiae* brief.

Dated: January 13, 2010

McCARTER & ENGLISH, LLP

Of Counsel:

Erik Paul Belt

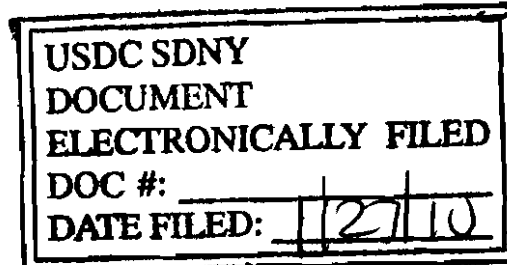
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*S. ordered
Sweet to SD
1-26-10*

CERTIFICATE OF SERVICE

This is to certify that on January 13, 2010, a true and correct copy of the foregoing Motion for Leave to File Brief *Amicus Curiae* has been served on registered counsel of record via the Court's ECF system.

Dated: January 13, 2010

/s/Lori J. Shyavitz

Lori J. Shyavitz