

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

Civil Action No. 09 CV 4515

SUMMONS IN A CIVIL ACTION

JUDGE SWEET

To: (Defendant's name and address)

United States Patent and Trademark Office
600 Dulany Street
Alexandria, VA 22314

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Christopher A Hansen
American Civil Liberties Union
125 Broad Street - 18th Floor
New York, New York 10004

Association For Molecular Pathology et al v. United States Patent and Trademark Office et al

Doc. 3

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAY 12 2009

J. MICHAEL McMAHON
CLERK OF COURT

Catherine Lapsley
Signature of Clerk or Deputy Clerk

Date: _____

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* United States Patent and Trademark Office
 was received by me on *(date)* 05/12/2009.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☒ Other *(specify)*: Pursuant to Fed. R. Civ. P. 4(i), I served the summons and complaint by sending true and
 accurate copies on May 13, 2009 by certified, first class mail to:
 General Counsel, United States Patent and Trademark Office
 P.O. Box 15667; Arlington, VA 22215
(see below)

My fees are \$ 0.00 for travel and \$ 23.55 for services, for a total of \$ 23.55.
 (\$7.85 per item)

I declare under penalty of perjury that this information is true.

Date: 05/21/2009

Aliya Hussain
Server's signature

Aliya Hussain, Legal Assistant
Printed name and title

ACLU, 125 Broad St. 18th Fl., New York, NY 10004

Server's address

Additional information regarding attempted service, etc:

Copies were also sent by certified, first class mail to:
 Attorney General of the United States c/o Office of General Counsel, Justice Management Division, Department of
 Justice; National Place Building; 1331 Pennsylvania Ave. NW, Room 520; Washington, DC 20530

Civil Clerk's Unit - U.S. Attorney's Office for the Southern District of New York; 86 Chambers Street, 3rd Floor; New
 York, NY 10007