

AO 440 (Rev. 8/01) Summons in a Civil Action

FILED

UNITED STATES DISTRICT COURT

EASTERN

District of

VIRGINIA 2007 OCT 12 P 12:24

SmithKline Beecham, SmithKline Beecham PLC and Glaxo Group Ltd.

CLERK US DISTRICT COURT ALEXANDRIA, VIRGINIA

SUMMONS IN A CIVIL ACTION

V.

John Dudas, In his Official Capacity and The United States Patent & Trademark Office

CASE NUMBER: 1:07 CV 1008

TO: (Name and address of Defendant)

The United States Patent & Trademark Office
Serve (pursuant to 37 C.F.R. 104.2)
Office of the General Counsel
United States Patent & Trademark Office
10B20 Madison Building East
600 Dulany Street, Alexandria, VA 22313

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Elizabeth M. Locke
Kirkland & Ellis LLP
655 15th Street, NW
Washington, DC 20005

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Fernando Galindo, Clerk

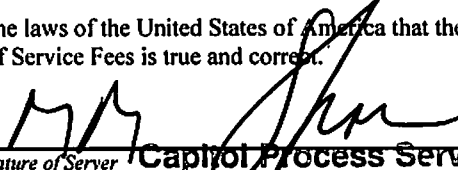
CLERK OF COURT

[Signature]

DATE

10/9/07

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RETURN OF SERVICE		
Service of the Summons and complaint* was made by me <sup>(1)</sup>	DATE	10-10-07 at 2:00 p.m.
NAME OF SERVER (PRINT)	TITLE	
Melvin M. Shapiro	Private Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): By serving Elisa Jackson, General Counsel, authorized to accept. service was completed at 600 Dulany Street, Alexandria, Virginia 22313.		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	 <i>Signature of Server</i>	<b>Capitol Process Services, Inc.</b> 1827 18th Street, N.W. Washington, D.C. 20009 (202) 667-0050
10-11-07 Date	<hr/> Address of Server	
* Civil Cover Sheet, Plaintiffs' Corporate Disclosure Statement Pursuant to Fed.R.Civ.P.7.1 and Local Rule 7.1 and Exhibit A		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.