

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE DIRECTOR

In re Applications of:	)	
	)	Decision on Request
GILBERT P. HYATT	)	under 37 C.F.R. § 1.304(a)(3)(i)
	)	
Serial No. 08/428,359	)	
Serial No. 08/472,062	)	
Serial No. 08/431,639	)	
Serial No. 08/463,820	)	
Serial No. 08/463,109	)	
Serial No. 08/462,333	)	
Serial No. 08/462,712	)	
<u>Serial No. 08/456,398</u>	)	

MEMORANDUM AND ORDER

On July 24, 2009, patent applicant Gilbert P. Hyatt (Hyatt) filed a request seeking an extension of time under 37 C.F.R. § 1.304(a)(3)(i)<sup>1</sup> to seek judicial review of the Board decisions in the eight above-captioned applications. The current deadline for judicial review on these eight applications is August 27, 2009.

The additional time is granted for the reasons stated herein.

As discussed in the time extension request Memorandum and Order issued in the above-referenced applications on May 26, 2009, the Director disagrees with Hyatt's description of conversations between his attorneys and the Solicitor's Office. However, since the filing of the underlying time extension requests, the Federal Circuit issued its decision in *Hyatt v. Doll* (Appeal No. 2007-1066) (Aug. 11, 2009). Sufficient time is needed to digest the decision and consider its impact on the eight above-referenced applications. This constitutes "good cause"

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<sup>1</sup> While Hyatt's petition was denominated under 37 C.F.R. § 1.181, the Director treats the petition as brought under 37 C.F.R. § 1.304(a)(3), which provides for extensions of time to file an appeal to the Federal Circuit, or civil action in district court.

under 37 C.F.R. § 1.304(a)(3)(i) to extend the time for appeal or civil action.

ORDER

For the reasons stated herein, it is ORDERED that the request for an extension of time under 37 C.F.R. § 1.304(a)(3)(i) is granted.

Hyatt's time for seeking judicial review under 37 C.F.R. § 1.304(a)(1) for the above-referenced eight applications is extended from August 27, 2009, to September 27, 2009.



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Raymond Chen  
Deputy General Counsel for  
Intellectual Property Law and Solicitor

Dated: August 21, 2009