

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE DIRECTOR

In re Application of: Stone et al.)
Reexamination Control No. 95/001,073) Decision on Request
U.S. Patent No. 7,240,025) under 37 C.F.R. § 1.304(a)(3)(i)
_____)

MEMORANDUM AND ORDER

On March 9, 2012, patent owner Function Media filed a request under 37 C.F.R. § 1.304(a)(3)(i) for additional time in which to seek judicial review of the Board decision in the above-captioned *inter partes* reexamination. The two-month deadline set by 37 C.F.R. § 1.304(a)(1) for seeking judicial review in this case was March 27, 2012. The request sought the additional time to allow the USPTO to issue a decision on Function Media's Petition to Terminate the above-captioned reexamination proceeding ("Petition"). The decision dismissing that Petition, however, was issued on March 13, 2012. While Function Media subsequently sought reconsideration of the Petition Decision on March 23, 2012, it also filed a timely Notice of Appeal to the Court of Appeals for the Federal Circuit for the Board decision in the above-captioned reexamination proceeding on March 26, 2012.

Accordingly, Function Media's request for additional time to file that Notice is dismissed as moot.

Raymond Chen

Deputy General Counsel

for

Intellectual Property Law and Solicitor

Dated: April 23, 2012

cc:

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