NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1114
(Serial No. 77/006,212)

IN RE JAMES T. KIRBY

Appeal from the United States Patent and Trademark Office,
Trademark Trial and Appeal Board.

ON MOTION

ORDER

James T. Kirby moves without opposition to voluntarily dismiss his appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted.

(2) Each side shall bear its own costs.

FOR THE COURT

MAY 18 2009
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAY 18 2009

JAN HORBALY
CLERK

cc: James Scott Gerien, Esq
Raymond T. Chen, Esq.

s17

ISSUED AS A MANDATE: MAY 18 2009

CERTIFIED COPY
I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE.

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

By: [illegible] Date: 5/18/09