

CLIENT ALERT

Court Stops Implementation of New USPTO Rules

October 31, 2007

Several sources have reported that Judge Cacheris of the U.S. District Court of Eastern Virginia granted GlaxoSmithKline's request for a Preliminary Injunction to block the USPTO from implementing its new claims and continuation rules tomorrow (November 1, 2007).

A written decision has not yet been entered for us to confirm these reports and to evaluate the Judge's Order. We would expect the USPTO will file an appeal of this injunction, but we do not know when that appeal will be heard or decided. If the appellate court vacates the injunction, the rules could then go into effect.

For the time being, we would advise most clients that **any actions you were planning to take today in light of the new rules should be completed.** If you have questions about how to proceed today, please contact your Wolf Greenfield attorney.

We will continue to monitor these activities, and send further updates, as necessary.

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