

Note: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2008-1511, -1512, -1513, -1514, -1595

THERASENSE, INC. (now known as Abbott Diabetes Care, Inc.)  
and ABBOTT LABORATORIES,

Plaintiffs-Appellants,

v.

BECTON, DICKINSON AND COMPANY,  
and NOVA BIOMEDICAL CORPORATION,

Defendants-Appellees,

and

BAYER HEALTHCARE LLC,

Defendant-Appellee.

Appeals from the United States District Court for the Northern District of California in consolidated case nos. 04-CV-2123, 04-CV-3327, 04-CV-3732, and 05-CV-3117, Judge William H. Alsup.

ON MOTION

### ORDER

Appellee Bayer Healthcare LLC ("Bayer") moves for an extension of time, to October 8, 2010, to file its responsive en banc brief. Bayer also requests the same extension of time for filing of the responsive en banc brief of Appellees Becton Dickinson & Company and Nova Biomedical Corporation.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted. The responsive en banc briefs of Appellees Bayer and Becton Dickinson/Nova Biomedical are due on October 8, 2010.

FOR THE COURT

*Jan Horbaly* <sup>LB</sup>

Jan Horbaly  
Clerk

JUN 01 2010  
Date

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

JUN 01 2010

**JAN HORBALY  
CLERK**