

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PFIZER, INC., et al.,)
)
 Plaintiffs,)
)
 v.) **Civil Case No. 09-2283 (RJL)**
)
 DAVID J. KAPPOS, Under Secretary of)
 Commerce for Intellectual Property and Director)
 of the U.S. Patent and Trademark Office)
)
 Defendant.)

ORDER

Upon consideration of the parties' Joint Motion to Remand, it is this 2nd day of March, 2010, hereby

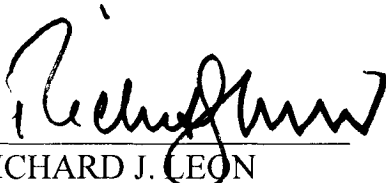
ORDERED that the motion is **GRANTED**; it is further

ORDERED that the existing patent-term calculation is **VACATED**; and it is further

ORDERED that the case is **REMANDED** to the United States Patent and Trademark Office for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit

in *Wyeth & Elan Pharma International, Ltd. v. Kappos*, ___ F.3d ___, 2010 WL 27184
(Fed. Cir. Jan. 7, 2010).

SO ORDERED.


RICHARD J. LEON
United States District Judge