

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

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2007-1056  
(Serial No. 09/947,801)

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IN RE JED MARGOLIN

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Appeal from the United States Patent and Trademark Office,  
Board of Patent Appeals and Interferences.

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**Director's Response to Margolin's Notice of Consent to  
Give the USPTO Solicitor an Additional 14 days to File His Brief**

Although Jed Margolin ("Margolin") consents to the USPTO Director's request for a 14-day extension of time, he further makes the bold, conclusory, and unsubstantiated request that "the USPTO Solicitor be sanctioned for his rude behavior," recently received by this Office. Out of an abundance of caution, the Director feels compelled to respond.

On January 17, 2007, the Director sought Margolin's consent, pursuant to Federal Circuit Rule 27(a)(5), to the Director's request for a 14-day extension of time. Hearing nothing back, our motion was filed the following day with an accurate explanation of our earlier attempt to reach Margolin. If he had responded sooner, we certainly would have included his response in our motion. We believe

such actions are typical and customary, and do not come close to sanctionable conduct.

January 29, 2007

Respectfully submitted,

*Joseph J. Piccolo*

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JOHN M. WHEALAN  
Solicitor

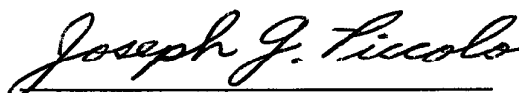
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## CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2007, I caused two copies of the foregoing Director's Response to Margolin's Notice of Consent to Give the USPTO Solicitor an Additional 14 days to File His Brief to be mailed by United States mail (first-class, postage prepaid), addressed as follows:

Jed Margolin  
1981 Empire Rd.  
Reno, Nevada 89521-7430



Joseph G. Piccolo  
Associate Solicitor