

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
GILBERT HYATT)	
)	
Plaintiff)	
v.)	Civ. Action No. 03-108 (EGS)
)	
JON W. DUDAS,)	
<i>Director of the United States</i>)	
<i>Patent & Trademark Office</i>)	
)	
Defendant.)	
_____)	

ORDER

Pursuant to Federal Rule of Civil Procedure 58 and for the reasons stated by the Court in its Memorandum Opinion docketed this same day, it is this 13th day of October, 2005, hereby

ORDERED that defendant's Motion for Summary Judgment is **DENIED**; plaintiff's Motion for Summary Judgment is **GRANTED IN PART** with respect to the adequacy of the PTO's *prima facie* case and **DENIED IN PART** with respect to the relief requested; and this case is **REMANDED** to the PTO for further proceedings consistent with the Memorandum Opinion.

Signed: Emmet G. Sullivan
United States District Judge
October 13, 2005