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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE REEXAMINATION OF

U.S. PATENT NO. 7,123,708

INVENTOR:

RONALD W. GAVILLET

CONTROL NO: 95/000,530

FILED: JANUARY 28, 2010

FOR: NEUTRAL TANDEM  
TELECOMMUNICATIONS NETWORK  
PROVIDING TRANSITING,  
TERMINATING, AND ADVANCED  
TRAFFIC ROUTING SERVICES TO  
PUBLIC AND PRIVATE CARRIER  
NETWORKS

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: EXAMINER: O. ESCALANTE

:

: GROUP ART UNIT: 3992

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PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.956

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Pursuant to 37 C.F.R. §1.956, Patent Holder requests a two-month extension of time to submit a response to the March 26, 2010 First Action in *inter partes* reexamination of U.S. Patent No. 7,123,708 (hereinafter “708 Patent”). Upon grant of this request, the two-month extension will reset the due date to July 26, 2010.

The extension is necessary in order to comply with deadlines associated with concurrent litigation relating to the ‘708 patent in Federal District Court for the Northern District of Illinois requiring the Patent Holder’s technical expert, Dr. Arthur Brody to prepare for, and be deposed by the Third Party Requester.<sup>1</sup> Patent Holder and Third Party Requester

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<sup>1</sup> *Neutral Tandem, Inc. vs. Peerless Network, Inc., Peerless Network of Illinois, LLC and John Barnicle.*