NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

IN RE BALLY GAMING, INC.

2011-1132
(Reexamination No. 90/006,601)

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

ON MOTION

ORDER

Bally Gaming, Inc. moves to lift the stay and remand this case to the United States Patent and Trademark Office, Board of Patent Appeals and Interferences (Board).

This appeal was stayed pending a related interference district court action. Bally has now informed the court that the district court dismissed the action for lack of jurisdiction and requests remand because "the Parties now believe that this appeal can be resolved administratively at the United States Patent and Trademark Office."

Bally's motion to remand is cursory and does not explain how it believes the Board erred, what additional

proceedings are required, or what grounds for remand exist in light of the district court's decision. Thus, Bally's motion is denied. Bally may renew this motion within 21 days by providing adequate arguments concerning remand or file its reply brief within 30 days.

Accordingly,

IT IS ORDERED THAT:

(1) The motion to lift the stay is granted.

(2) The motion to remand and issue the mandate is denied without prejudice to renewal within 21 days of the date of filing of this order. If no renewed motion is filed, Bally's reply brief is due within 30 days of the date of filing of this order.

FOR THE COURT

OCT 25 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Glenn E. Von Tersch, Esq.
Raymond T. Chen, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT
OCT 25 2012
JAN HORBALY
CLERK