

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

	)	
L-3 COMMUNICATIONS SECURITY	)	
AND DETECTION SYSTEMS	)	
CORPORATION DELAWARE	)	
	)	Civil Action No. 04-10339-RWZ
Plaintiff,	)	
	)	
v.	)	
	)	
AMERICAN SCIENCE &	)	
ENGINEERING, INC.	)	
	)	
Defendant	)	
	)	

**AS&E’S MOTION TO STAY LITIGATION PENDING CONCLUSION OF
REISSUE PROCEEDINGS IN THE PATENT AND TRADEMARK OFFICE**

Defendant American Science & Engineering, Inc., (“AS&E”) moves for an order staying this litigation pending the outcome of reissue proceedings currently underway in the United States Patent and Trademark Office (“the PTO”) in connection with a patent related to the patents in-suit. As explained more fully in the accompanying memorandum of law, L-3 Communications Security And Detection Systems Corp. (“L-3”) has recently demanded that AS&E bring evidence underlying the central issues in this case to the attention of the PTO for consideration during the pending reissue proceedings. L-3’s demand stems from its stated belief that the outcome of the reissue proceedings could “directly affect the enforceability of at least one of the two patents-in-suit.” AS&E respectfully requests that the Court stay this litigation until the conclusion of the reissue proceedings, so that the Court and parties may benefit from the PTO’s expert assessment of the evidence underlying L-3’s inequitable conduct and on-sale bar claims.

RULE 7.1 CERTIFICATE

The undersigned certifies that counsel for the parties conferred in a good faith attempt to resolve and narrow the issues but were unable to do so.

Dated: April 6, 2005

AMERICAN SCIENCE AND
ENGINEERING, INC.

By its attorneys,

/s/ Erik P. Belt

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