

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In the matter of the Assignment)
of Patent and Plant Variety Protection)
Cases:) General Order No. 598-A
)
Amendment of General Order)
_____)

GOOD CAUSE APPEARING, the judges of the Court hereby amend and supercede General Order 598 concerning the Patent and Plant Variety Protection Pilot Project established pursuant to Pub. L. No. 111-349, 124 Stat. 3674, 28 U.S.C. § 137 (“Patent Pilot Project”) as follows:

* * *

- 3. Where a newly filed patent or plant variety protection case (other than a “false marking” case under 35 U.S.C. § 292) is randomly assigned to a judge who is not participating in the Patent Pilot Project (“non-participating judge”), the non-participating judge may, within twenty-eight (28) days of the filing of the case, decline the assignment and ask that the case be reassigned to one of the patent judges. Where the case is randomly assigned and the initially assigned judge recuses, the next assigned non-participating judge will have fourteen days (14) from that reassignment to decline the case under this General Order. The case will remain on the docket of the initially-assigned non-participating judge unless the assignment is declined ~~within the initial 28-days after filing:~~ as stated herein.
- 4. If a non-participating judge declines the random assignment, and all of the patent judges recuse thereafter, the case will be assigned back to the first assigned non-participating judge who did not recuse.
- ~~4:~~ 5. The Clerk of Court will establish a separate assignment deck (“Patent Pilot Project deck”) for use in the reassignment of cases to patent judges, and each patent judge’s name will appear in this deck an equal number of times. Reassignments made using the Patent Pilot Project deck must be made randomly in accordance with Civil Local Rule 40.1(a). When a non-participating judge declines a case assignment, the docket will state that the assigned judge has declined assignment pursuant to General Order 598.

Former Paragraphs 5 and 6 will be renumbered 6 and 7, respectively.

DATED: January 9, 2012



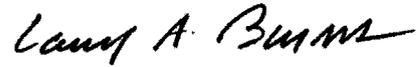
IRMA E. GONZALEZ, Chief Judge
United States District Court



MARILYN L. HUFF, Judge
United States District Court

Out of the District

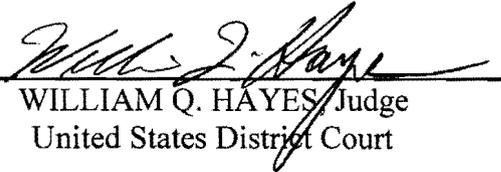
BARRY TED MOSKOWITZ, Judge
United States District Court



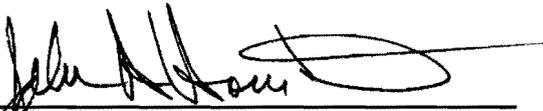
LARRY A. BURNS, Judge
United States District Court

Out of the District

DANA M. SABRAW, Judge
United States District Court



WILLIAM Q. HAYES, Judge
United States District Court



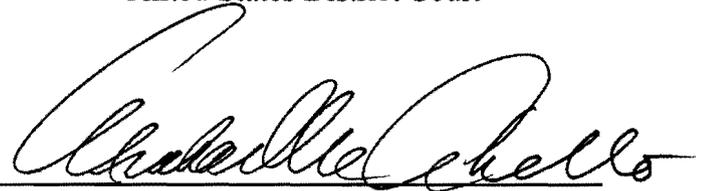
JOHN A. HOUSTON, Judge
United States District Court

Out of the District

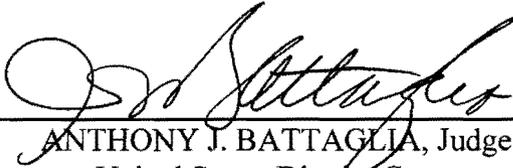
ROGER T. BENITEZ, Judge
United States District Court



JANIS L. SAMMARTINO, Judge
United States District Court



MICHAEL M. ANELLO, Judge
United States District Court



ANTHONY J. BATTAGLIA, Judge
United States District Court