

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1216, -1254

AVID IDENTIFICATION SYSTEMS, INC.,

Plaintiff-Appellant,

v.

THE CRYSTAL IMPORT CORPORATION and
DATAMARS SA,

Defendants-Appellees,

and

DATAMARS, INC.,

Defendant.

Appeals from the United States District Court for the Eastern District of Texas
in case no. 2:04-CV-183, Judge T. John Ward.

ON MOTION

ORDER

Datamars SA moves to reform the official caption.*

Upon consideration thereof,

IT IS ORDERED THAT:

* It is this court's usual practice to not delete parties from the caption because they were dismissed by the district court, unless the dismissal was on consent or due to settlement. See also Fed. R. App. P. 12(a) (the clerk must docket the appeal under the title of the district court action). Thus, the court need not delete Datamars, Inc. from the caption. Because it appears, based on the submission, that Datamars, Inc. will not be participating in the appeal, the court deletes the "appellee" designation related to Datamars, Inc. from the caption.

The motion is granted to the extent that the revised official caption is reflected above.

FOR THE COURT

MAY 15 2009

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: John W. Thornburgh, Esq.
Mark A. Hannemann, Esq.

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

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MAY 15 2009

**JAN HORBALY
CLERK**