

IN THE
SUPREME COURT OF THE UNITED STATES

No. _____

STRAIGHT PATH IP GROUP, LLC,
Petitioner,

v.

APPLE, INC., *and* CISCO SYSTEMS, INC.
Respondents.

APPLICATION TO THE HON. CHIEF JUSTICE
JOHN G. ROBERTS, JR.
FOR AN EXTENSION OF TIME WITHIN WHICH
TO FILE A PETITION FOR A WRIT OF CERTIORARI

Petitioner hereby moves by its undersigned counsel, pursuant to Rule 13(5) of the Rules of this Court, for an extension of time of 58 days, to and including August 23, 2019 (August 25 being a Sunday), for the filing of a petition for certiorari to review the decision of the United States Court of Appeals for the Federal Circuit dated January 23, 2019 (748 Fed. Appx. 1027; Attachment 1), on which panel rehearing and rehearing *en banc* was denied on March 28, 2019 (Attachment 2).

1. The date within which a petition for writ of certiorari would be due, if not extended, is June 26, 2019. The jurisdiction of this Court rests on 28 U.S.C. § 1254(1).

2. Undersigned counsel has been retained by petitioner to prepare and file a petition for a writ of certiorari with this Court. Preparation of a petition that will adequately present the legal and constitutional issues for this Court's consideration will require substantial research, including review of decisions and rules of all Federal Circuits.

3. Undersigned counsel currently has imminent litigation commitments and deadlines, including preparation of an appellate brief in a criminal case for the United States Court of Appeals for the Sixth Circuit, preparation of legal memoranda in civil litigation in the United States District Court for the District of Maryland, and preparation of *amicus curiae* briefs in this Court.

4. Extension of the time within which to file a petition for certiorari will not affect the timing of this Court's consideration of the case if the Court determines to grant the petition. Under the Court's customary practice, the merits of the petition, if it were filed on June 26, 2019 (the currently prescribed date), would not be considered until it would be too late to add this case to the Court's docket for the October 2018 Term. If certiorari were granted in this case, full briefing and oral argument would occur in the Term that begins in October 2019.

5. For the same reason, the requested 58-day extension to and including August 23, 2019, would not delay this Court's ultimate consideration of this case more than would a 30-day extension of time to July 26, 2019.

For the foregoing reasons, petitioner hereby requests that an extension of time to and including August 23, 2019, be granted within which petitioner may file a petition for a writ of certiorari.

Dated: May 28, 2019

Respectfully submitted,

/s/Nathan Lewin

Nathan Lewin
LEWIN & LEWIN, LLP
888 17th Street NW, 4th Floor
Washington, DC 20006
202.828.1000 *phone*
202.828.0909 *fax*
nat@lewinlewin.com

cc: Counsel for Respondents