

IN THE SUPREME COURT OF THE UNITED STATES

No. 26 ____

CPC PATENT TECHNOLOGIES PTY LTD.,

Petitioner,

v.

APPLE INC.

Respondent.

APPLICATION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI
TO THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT

MELISSA M. HAULCOMB
K&L GATES LLP
70 W. MADISON ST.
SUITE 3300
CHICAGO, IL 60602

GEORGE C. SUMMERFIELD
Counsel of Record
K&L GATES LLP
SUITE 3708, PARK PLACE
1601 NANJING ROAD WEST,
JING AN DISTRICT
SHANGHAI, 200040 CHINA
+86 21 2211 2000
george.summerfield@klgates.com

Counsel for Petitioner

January 30, 2026

TO THE HONORABLE JOHN G. ROBERTS, JR., CHIEF JUSTICE OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE FEDERAL CIRCUIT:

Pursuant to 28 U.S.C. § 2101(c) and Supreme Court Rules 13.5, 22, and 30, Petitioner CPC Patent Technologies Pty Ltd. (“CPC” or “Petitioner”) respectfully requests a 30-day extension of time, up to and including March 19, 2026, to file a petition for a writ of certiorari to the United States Court of Appeals for the Federal Circuit to review that court’s decision in *CPC Pat. Techs. Pty Ltd. v. Apple, Inc.*, No. 24-1365 (Fed. Cir. Nov. 10, 2025) [Ex. A]. In that case below the Federal Circuit entered a judgement of affirmance without opinion under Federal Circuit Rule 36. That same day, the court rendered a judgement and opinion in related case, which had been consolidated, *CPC Pat. Techs. Pty Ltd. v. ASSA ABLOY AB, et al.*, Nos. 24-1492, 24-1493 (Fed. Cir. Nov. 10, 2025) [Ex. B]. In both cases, CPC had appealed final written decisions by the Patent Trial and Appeal Board (“Board”), which held the challenged claims in U.S. Patent No. 8,620,039 (“the ’039 patent”) unpatentable under 35 U.S.C. § 103, in view of different prior art combinations. The Federal Circuit explained that in affirming the unpatentability of claims 1–2 and 19–20 in *CPC v. Apple*, it dismissed the appeal to those claims in *CPC v. ASSA ABLOY*, limiting the scope of its review to claims 3–18, although its opinion relied upon representative claim 1. Exhibit B at 3, 6, 9. Ultimately, the court in and reversed and remanded the Board’s decisions in the consolidated appeals as to claims 3–8. *Id.* at 9.

The Federal Circuit entered its judgments on November 10, 2025. Petitioner intends to file a petition for a writ of certiorari under Supreme Court Rule 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1) and the time to file a petition for a writ of certiorari will expire without an extension on February 9, 2026. *See* Supreme Court Rule 13.3. This application is timely because it has been filed more than ten days prior to the date on which the time for filing the petition is to expire.

There is good cause for the extension. Lead counsel is otherwise engaged with a trial set to begin on February 2, 2026 in a matter styled *DuraSystems Barriers, Inc. v. Van-Packer Co.*, No. 1:19-cv-01388 (C.D. Ill.), as well as a request for ruling pursuant to 19 U.S.C. § 177 relating to the Exclusion Order issued in U.S. International Trade Commission Inv. No. 337-TA-1394, an initial hearing in which is scheduled on February 9, 2026. These commitments will limit counsel's availability to complete the petition by February 9, 2026. The requested extension will allow counsel to complete the preparation of a petition of maximum helpfulness to this Court. In addition, Respondent does not oppose the requested extension.

In view of those considerations, Petitioner respectfully requests an extension of 30 days, up to and including March 19, 2026, within which to file a petition for writ of certiorari.

Dated: January 30, 2026.

Respectfully submitted,

GEORGE C. SUMMERFIELD
Counsel of Record
K&L GATES LLP
SUITE 3708, PARK PLACE
1601 NANJING ROAD WEST
JING AN DISTRICT
SHANGHAI, 200040 CHINA
+86 21 2211 2000
george.summerfield@klgates.com

MELISSA M. HAULCOMB
K&L GATES LLP
70 W. MADISON ST.
SUITE 3300
CHICAGO, IL 60602
melissa.haulcomb@klgates.com

Counsel for Petitioner