

No. _____

In the Supreme Court of the United States

◆
INNOVAPORT LLC,

Applicant,

v.

TARGET CORPORATION,

Respondent.

◆
On Petition for Writ of Certiorari to the
United States Court of Appeals
for the Federal Circuit

◆
**APPLICATION FOR AN EXTENSION OF TIME IN WHICH TO FILE A
PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

◆
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Counsel for Petitioner

June 25, 2026

Corporate Disclosure Statement

Pursuant to Supreme Court Rule 29.6, Applicant Innovaport LLC states that it has no parent corporation and that no publicly held company owns 10% or more of Applicant's stock.

To the Honorable John Roberts, as Chief Justice of the United States Supreme Court and Circuit Justice for the United States Court of Appeals for the Federal Circuit:

Pursuant to 28 U.S.C. § 2101(c) and this Court's Rules 13.5, Applicant Innovaport LLC respectfully requests that the time to file its petition for a writ of certiorari be extended for 59 days, up to and including September 4, 2026. The Court of Appeals issued its opinion on February 6, 2026 (Exhibit A) and denied rehearing en banc on April 8, 2026 (Exhibit B). Absent an extension of time, the petition would be due on July 7, 2026. The jurisdiction of this Court is based on 28 U.S.C. § 1254(1).

BACKGROUND

This case presents important questions regarding patent eligibility under 35 U.S.C. § 101 relating to (i) the appropriate analysis for evaluating patent eligibility in the courts and at the USPTO, (ii) the evidentiary requirements of the Federal Rules of Civil Procedure for summary judgment decisions adjudicating patent eligibility, and (iii) the presumption of validity as it relates to patent eligibility. The uncertainty and unpredictability deriving from the current application of the law, which is inconsistent between the courts and the USPTO, is prejudicial to patentees who, as here, secure patents over § 101 rejections during prosecution only to have those patents later invalidated in district court. Clarification of the law on patent eligibility is needed so that all patentees equally can trust in and rely upon the USPTO's grant of patent rights.

REASONS FOR THE EXTENSION

There is good cause for the extension.

1. Innovaport's counsel has pressing deadlines in other matters during the relevant time period. In particular, counsel has a trial scheduled to begin on July 27, 2026 in the matter of *Ronin Factory, LLC v. Import Global, LLC*, et al., Case No. 1:24-cv-24700-DPG, pending in the U.S. District Court for the Southern District of Florida, and is currently engaged in trial preparation and the preparation and filing of pretrial materials. Upcoming deadlines for the *Ronin Factory* case include: (i) the submission of pretrial motions (June 29, 2026); (ii) the submission of the joint pretrial stipulation, jury instructions, and verdict form (June 29, 2026); and (iii) oppositions to motions in limine (July 13, 2026). In addition to trial preparation and the submission of pretrial materials and motions in the *Ronin Factory* case, Innovaport's counsel also has the following deadlines: (i) a motion for summary judgment due on July 1, 2026 in the matter of *Best Bee Brothers, LLC v. Brian Blazer d/b/a Carpenter Bee Solutions*, Case No. 2:25-cv-00365-BHL, currently pending in the U.S. District Court for the Eastern District of Wisconsin; (ii) oppositions to post trial motions due on July 7, 2026 in the matter of *SnapRays, LLC d/b/a SnapPower v. American Tack & Hardware Co. Inc.*, Case No. 3:24-cv-01228-O, currently pending in the U.S. District Court for the Northern District of Texas; and (iii) final infringement contentions due on July 7, 2026 in the matter of *American Tack & Hardware Co. Inc. v. SnapRays, LLC d/b/a SnapPower*, Case No. 2:25-cv-00603-DBB-JCB.

2. Innovaport has diligently engaged in communications with at least two third-party organizations regarding the possible filing of an amicus curiae brief. With respect to at least one such organization, given the typical timing for the organization to pursue such an effort, an extension appears to be needed for the organization to file the brief. Innovaport is hopeful that the organization will decide to file an amicus curiae brief, but the organization's decision whether to file a brief appears to be contingent, in part, on an extension of the deadline.
3. The Fourth of July holiday is an intervening Federal Holiday occurring the weekend before Innovaport's current deadline of July 7, 2026.

CONCLUSION

Applicant respectfully requests that the time to file a writ of certiorari in this matter be extended 59 days up to and including September 4, 2026.

June 25, 2026



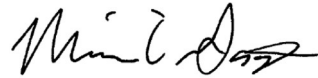
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CERTIFICATE OF SERVICE

I, Michael T. Griggs, a member of the Bar of this Court, hereby certify that on June 25, 2026, I served the accompanying Application for Extension of Time to File a Petition for a Writ of Certiorari in the above-entitled case by depositing it in the United States Mail, postage prepaid, first-class mail, addressed to:

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