

United States Court of Appeals for the Federal Circuit

ERRATA

September 28, 2007

Appeal No. 2006-1286

Precedential Opinion, In re Comiskey

Decided: September 20, 2007

On pages 2-3, footnote 1, replace the entire footnote with:

1. Claim 1 states in full:

A method for mandatory arbitration resolution regarding one or more unilateral documents comprising the steps of:

enrolling a person and one or more unilateral documents associated with the person in a mandatory arbitration system at a time prior to or as of the time of creation of or execution of the one or more unilateral documents;

incorporating arbitration language, that is specific to the enrolled person, in the previously enrolled unilateral document wherein the arbitration language provides that any contested issue related to the unilateral document must be presented to the mandatory arbitration system, in which the person and the one or more unilateral documents are enrolled, for binding arbitration wherein the contested issue comprises one or more of a challenge to the documents, interpretation of the documents, interpretation or application of terms of the documents and execution of the documents or terms of the documents;

requiring a complainant to submit a request for arbitration resolution to the mandatory arbitration system wherein the request is directed to the contested issue related to the unilateral document containing the arbitration language;

conducting arbitration resolution for the contested issue related to the unilateral document in response to the request for arbitration resolution;

providing support to the arbitration resolution; and

determining an award or a decision for the contested issue related to the unilateral document in accordance with the incorporated arbitration language, wherein the award or the decision is final and binding with respect to the complainant.

On page 4, footnote 3, replace the entire footnote with:

3. Claim 17 states in full:

A system for mandatory arbitration resolution regarding one or more unilateral documents comprising:

a registration module for enrolling a person who is executing and one or more unilateral documents associated with the person in a mandatory arbitration system at a time prior to or as of the time of creation of or execution of the one or more unilateral documents;

an arbitration module for incorporating arbitration language, that is specific to the enrolled person, in the previously enrolled unilateral document wherein the arbitration language provides that any contested issue related to the unilateral document must be presented to the mandatory arbitration system, in which the person and the one or more unilateral documents are enrolled, for binding arbitration wherein the contested issue comprises one or more of a challenge to the documents, interpretation of the documents, interpretation or application of terms of the documents and execution of the documents or terms of the documents; and for providing this arbitration language to the enrolled person;

an arbitration resolution module for requiring a complainant to submit a request for arbitration resolution to the mandatory arbitration system wherein the request is directed to the contested issue related to the unilateral document containing the arbitration language; and

a means for selecting an arbitrator from an arbitrator database to conduct an arbitration resolution for the contested issue related to the unilateral document in response to the request for arbitration resolution, for providing support to the arbitrator, and where the arbitrator determines an award or a decision for the contested issue related to the unilateral document in accordance with the incorporated arbitration language, wherein the award or the decision is final and binding with respect to the complainant.

On page 2, line 10: delete “or registered”

On page 2, line 11: replace the word “inserted” with the word “incorporated”; replace the word “challenge” with “contested issue related”

On page 2, line 13: replace the word “enable[es]” with the word “requir[es]”

On page 2, line 15: replace the phrase “an award or decision that is final and binding.” with the phrase “an award or decision...[that] is final and binding.”

On page 3, line 1: delete the word “bilateral”

On page 3, line 10: replace the word “database” with “module for incorporating” and replace the word “challenges” with “any contested issue related”

On page 3, line 14: after the word decision, insert “...[that]” and delete the word “that”

On page 23, line 9: replace “electronic communications” with “electronic communication”

On page 24, line 7: replace “48” with “58”