

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**INTERNATIONAL BUSINESS MACHINES  
CORPORATION,**  
*Plaintiff-Appellant*

v.

**BOOKING HOLDINGS INC., FKA PRICELINE  
GROUP INC., KAYAK SOFTWARE CORPORATION,  
OPENTABLE, INC., PRICELINE.COM LLC,**  
*Defendants-Appellees*

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2018-1574

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Appeal from the United States District Court for the  
District of Delaware in No. 1:15-cv-00137-LPS, Chief Judge  
Leonard P. Stark.

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**ON PETITION FOR REHEARING EN BANC**

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Before PROST, *Chief Judge*, NEWMAN, LOURIE, DYK,  
MOORE, O'MALLEY, REYNA, WALLACH, TARANTO, CHEN,  
HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

**O R D E R**

Appellant International Business Machines Corporation filed a petition for rehearing en banc. A response to the petition was invited by the court and filed by Appellees Booking Holdings Inc., Kayak Software Corporation, OpenTable, Inc. and Priceline.com LLC. The petition was first referred as a petition for rehearing to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on September 17, 2019.

FOR THE COURT

September 10, 2019  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court