

NOTE: This order is nonprecedential.

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

**INO THERAPEUTICS LLC, MALLINCKRODT
HOSPITAL PRODUCTS INC., MALLINCKRODT
HOSPITAL PRODUCTS IP LTD.,**
Plaintiffs-Appellants

v.

PRAXAIR DISTRIBUTION INC., PRAXAIR INC.,
Defendants-Appellees

2018-1019

Appeal from the United States District Court for the
District of Delaware in No. 1:15-cv-00170-GMS, Judge
Gregory M. Sleet.

ON PETITION FOR REHEARING EN BANC

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

Appellants INO Therapeutics LLC, Mallinckrodt Hospital Products Inc. and Mallinckrodt Hospital Products IP Ltd. filed a petition for rehearing en banc. A response to the petition was invited by the court and filed by Appellees Praxair Distribution Inc. and Praxair Inc. 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 November 26, 2019.

FOR THE COURT

November 19, 2019
Date

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