

NOTE: This order is nonprecedential.

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

CELGENE CORPORATION,
Appellant

v.

**LAURA A. PETER, DEPUTY UNDER SECRETARY
OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DEPUTY DIRECTOR OF THE UNITED
STATES PATENT AND TRADEMARK OFFICE,**
Intervenor

2018-1171

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2015-
01092.

ON PETITION FOR REHEARING EN BANC

Before PROST, *Chief Judge*, NEWMAN, LOURIE, BRYSON¹,
DYK, MOORE, O'MALLEY, REYNA, WALLACH, TARANTO,
CHEN, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

O R D E R

Appellant Celgene Corporation filed a petition for rehearing en banc. A response to the petition was invited by the court and filed by Intervenor Laura A. Peter. 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 December 16, 2019.

FOR THE COURT

December 9, 2019
Date

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

¹ Circuit Judge Bryson participated only in the decision on the petition for panel rehearing.