

NOTE: This order is nonprecedential.

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

CHEETAH OMNI LLC,
Plaintiff-Appellant

v.

**AT&T SERVICES, INC., A DELAWARE
CORPORATION, CIENA CORPORATION, CIENA
COMMUNICATIONS, INC.,**
Defendants-Appellees

2019-1264

Appeal from the United States District Court for the Northern District of Texas in No. 3:17-cv-01993-K, Judge Ed Kinkeade.

ON PETITION FOR REHEARING EN BANC

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

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

* Circuit Judges Dyk and Moore did not participate.

PER CURIAM.

O R D E R

Appellant Cheetah Omni LLC filed a petition for rehearing en banc. 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 April 15, 2020.

FOR THE COURT

April 8, 2020
Date

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