

NOTE: This order is nonprecedential.

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

POLARIS INNOVATIONS LIMITED,
Appellant

v.

KINGSTON TECHNOLOGY COMPANY, INC.,
Appellee

**ANDREI IANCU, UNDER SECRETARY OF
COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE,**
Intervenor

2019-1202

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2016-
01622.

ORDER

PER CURIAM.

In light of this court's decision in *Arthrex, Inc. v. Smith
& Nephew, Inc.*, 941 F.3d 1320 (Fed. Cir. 2019), and the

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fact that Polaris Innovations Limited raised an Appoint-
ments Clause challenge in its opening brief in the above
captioned case,

IT IS ORDERED THAT:

(1) The oral argument scheduled for March 2, 2020 is
cancelled and the case is removed from the calendar.

(2) The Patent Trial and Appeal Board's decision in
No. IPR2016-01622 is vacated and the case is remanded to
the Board for proceedings consistent with the court's deci-
sion in *Arthrex*.

FOR THE COURT

January 27, 2020
Date

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