

NOTE: This order is nonprecedential.

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

**ALFRED E. MANN FOUNDATION FOR
SCIENTIFIC RESEARCH, ADVANCED BIONICS,
LLC,**
Plaintiffs-Appellees

v.

COCHLEAR CORPORATION, COCHLEAR LTD.,
Defendants-Appellants

2019-1201

Appeal from the United States District Court for the
Central District of California in No. 2:07-cv-08108-FMO-
SH, Judge Fernando M. Olguin.

ON PETITION FOR REHEARING EN BANC

Before PROST, *Chief Judge*, NEWMAN, LOURIE, LINN*, DYK,
MOORE, O'MALLEY, REYNA, WALLACH, TARANTO, CHEN,
and HUGHES, *Circuit Judges*¹.

* Circuit Judge Linn participated only in the decision
on the petition for panel rehearing.

¹ Circuit Judge Stoll did not participate.

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PER CURIAM.

O R D E R

Appellants Cochlear Corporation and Cochlear Ltd. 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 May 26, 2020.

FOR THE COURT

May 18, 2020
Date

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