

NOTE: This order is nonprecedential.

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

ILLUMINA, INC., SEQUENOM, INC.,
Plaintiffs-Appellants

v.

**ARIOSIA DIAGNOSTICS, INC., ROCHE
SEQUENCING SOLUTIONS, INC., ROCHE
MOLECULAR SYSTEMS, INC.,**
Defendants-Appellees

2019-1419

Appeal from the United States District Court for the
Northern District of California in No. 3:18-cv-02847-SI,
Senior Judge Susan Y. Illston.

ON PETITION FOR REHEARING EN BANC

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

* Circuit Judge Stoll did not participate.

PER CURIAM.

O R D E R

Appellees Ariosa Diagnostics, Inc., Roche Sequencing Solutions, Inc., and Roche Molecular Systems, Inc. filed a combined petition for panel rehearing and rehearing en banc. A response to the petition was invited by the court and filed by appellants Illumina, Inc. and Sequenom, Inc. The petition for rehearing and response were first referred to the panel that heard the appeal, which granted the petition in part as indicated in the accompanying order. Thereafter, the petition was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

- 1) The petition for rehearing en banc is denied.
- 2) The mandate of the court will issue on September 9, 2020.

FOR THE COURT

August 3, 2020
Date

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