

NOTE: This order is nonprecedential.

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

BIOGEN MA INC.,
Plaintiff-Appellee

v.

EMD SERONO, INC., PFIZER INC.,
Defendants-Appellants

**BAYER HEALTHCARE PHARMACEUTICALS INC.,
NOVARTIS PHARMACEUTICALS CORPORATION,**
Defendants

2019-1133

Appeal from the United States District Court for the
District of New Jersey in No. 2:10-cv-02734-CCC-MF,
Judge Claire C. Cecchi.

**ON PETITION FOR PANEL REHEARING AND
REHEARING EN BANC**

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

PER CURIAM.

O R D E R

Appellee Biogen MA 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 EMD Serono, Inc. and Pfizer Inc. The petition was referred 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 28, 2020.

FOR THE COURT

December 18, 2020
Date

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

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