

NOTE: This order is nonprecedential.

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

AVENUE INNOVATIONS, INC.,
Plaintiff-Appellant

v.

E. MISHAN & SONS INC.,
Defendant-Appellee

2020-1065

Appeal from the United States District Court for the Southern District of New York in No. 1:16-cv-03086-KPF, Judge Katherine Polk Failla.

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

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

PER CURIAM.

O R D E R

Avenue Innovations, Inc. filed a combined petition for panel rehearing and rehearing en banc. 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 February 17, 2021.

FOR THE COURT

February 10, 2021

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court