

NOTE: This order is nonprecedential.

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

MYLAN PHARMACEUTICALS INC.,
Appellant

v.

MERCK SHARP & DOHME CORP.,
Appellee

2021-2121

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2020-
00040.

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

Before MOORE, *Chief Judge*, NEWMAN, LOURIE, DYK,
PROST, REYNA, TARANTO, CHEN, HUGHES, STOLL,
CUNNINGHAM, and STARK, *Circuit Judges*.

PER CURIAM.

O R D E R

Mylan Pharmaceuticals Inc. filed a combined petition
for panel rehearing and rehearing en banc. A response to

2

MYLAN PHARMACEUTICALS INC. v.
MERCK SHARP & DOHME CORP.

the petition was invited by the court and filed by Merck Sharp & Dohme Corp. 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 February 10, 2023.

FOR THE COURT

February 3, 2023
Date

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