

NOTE: This order is nonprecedential.

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

MONSANTO TECHNOLOGY LLC,
Appellant

v.

E.I. DUPONT DE NEMOURS & COMPANY,
Appellee

2017-1032

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 95/002,028.

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

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

PER CURIAM.

O R D E R

Appellant Monsanto Technology LLC filed a combined
petition for panel rehearing and rehearing en banc. A
response from appellee E.I. DuPont de Nemours & Com-

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pany was invited by the court. No response was filed. 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 April 6, 2018.

FOR THE COURT

March 30, 2018
Date

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

* Circuit Judge Stoll did not participate.