

NOTE: This order is nonprecedential.

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

**BOSCH AUTOMOTIVE SERVICE SOLUTIONS,
LLC,**
Appellant

v.

**ANDREI IANCU, UNDER SECRETARY OF
COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE,**
Intervenor

2015-1928

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2014-
00183.

ON PETITION FOR PANEL REHEARING

Before NEWMAN, CHEN, and HUGHES, *Circuit Judges*.

PER CURIAM.

ORDER

The United States Patent and Trademark Office petitions for panel rehearing of this court's December 22, 2017 opinion, seeking to "clarify a sentence in its precedential opinion that could give rise to needless misunderstandings in the future." Specifically, the USPTO raised the concern that the court's opinion could be read, incorrectly, to have interpreted 35 U.S.C. 316(e). Bosch Automotive Service Solutions, LLC responded, in a way that supported the USPTO's view that the opinion could be improperly misread. To avoid that unnecessary possibility, we grant the petition for the limited purpose of amending our earlier opinion.

The sentence beginning at page 22, line 29 is amended to read: "Rather, the petitioner bears the burden of proving that the proposed amended claims are unpatentable by a preponderance of the evidence."

Accordingly,

IT IS ORDERED THAT:

The petition is granted to the limited extent noted above.

FOR THE COURT

March 15, 2018
Date

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