

NOTE: This order is nonprecedential.

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

In re: AMO DEVELOPMENT, LLC,
Appellant

2023-1470

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2021-
00856.

**ALCON INC., ALCON VISION, LLC, ALCON
LABORATORIES, INC., ALCON RESEARCH, LLC,**
Appellants

v.

AMO DEVELOPMENT, LLC,
Appellee

2023-1281, 2023-1282, 2023-1284, 2023-1286, 2023-1287,
2023-1288, 2023-1289, 2023-1290, 2023-1291, 2023-1292,
2023-1293, 2023-1294

Appeals from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in Nos. IPR2021-
00817, IPR2021-00823, IPR2021-00824, IPR2021-00825,

IPR2021-00835, IPR2021-00839, IPR2021-00840,
IPR2021-00841, IPR2021-00853, IPR2021-00856,
IPR2021-00858, and IPR2021-00862.

ON MOTION

Before WALLACH, *Circuit Judge*.

ORDER

The court construes the parties' notice of agreement, ECF No. 15 in Appeal No. 2023-1281, as a joint motion to dismiss Appeal Nos. 2023-1281, -1282, -1284, -1286, -1287, -1288, -1289, -1290, -1291, -1292, -1293, and -1294, pursuant to Federal Rule of Appellate Procedure 42(b), and for Alcon Inc., Alcon Vision, LLC, Alcon Laboratories, Inc., and Alcon Research, LLC to withdraw from Appeal No. 2023-1470.

Upon consideration thereof,

IN RE: AMO DEVELOPMENT, LLC

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IT IS ORDERED THAT:

(1) The motion is granted. The appeals are deconsolidated to the extent that Appeal Nos. 2023-1281, -1282, -1284, -1286, -1287, -1288, -1289, -1290, -1291, -1292, -1293, and -1294 are dismissed, and the official captions and the short caption for Appeal No. 2023-1470 are revised as reflected above.

(2) Each party shall bear its own costs relative to the dismissed appeals.

(3) The briefing schedule for Appeal No. 2023-1470 is stayed.

(4) Within 30 days from the date of filing of this order, the United States Patent and Trademark Office (PTO) is directed to inform this court whether it intends to intervene in Appeal No. 2023-1470.

(5) If the PTO elects to participate as intervenor in Appeal No. 2023-1470, its docketing statement is due within 14 days of the date of filing of its notice of intervention.

FOR THE COURT

March 27, 2023

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court

ISSUED AS A MANDATE (as to Appeal Nos. 2023-1281, -1282, -1284, -1286, -1287, -1288, -1289, -1290, -1291, -1292, -1293, and -1294 only): March 27, 2023

cc: United States Patent and Trademark Office