

NOTE: This order is nonprecedential.

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

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**ILLUMINA, INC., SEQUENOM, INC.,**  
*Plaintiffs-Appellants*

v.

**ARIOSIA DIAGNOSTICS, INC., ROCHE  
SEQUENCING SOLUTIONS, INC., ROCHE  
MOLECULAR SYSTEMS, INC.,**  
*Defendants-Appellees*

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2019-1419

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Appeal from the United States District Court for the  
Northern District of California in No. 3:18-cv-02847-SI,  
Senior Judge Susan Y. Illston.

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**ON PETITION FOR REHEARING EN BANC**

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

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\* Circuit Judge Stoll did not participate.

PER CURIAM.

**O R D E R**

Appellees Ariosa Diagnostics, Inc., Roche Sequencing Solutions, Inc., and Roche Molecular Systems, Inc. filed a combined petition for panel rehearing and rehearing en banc. A response to the petition was invited by the court and filed by appellants Illumina, Inc. and Sequenom, Inc. The petition for rehearing and response were first referred to the panel that heard the appeal, which granted the petition in part as indicated in the accompanying order. Thereafter, the petition was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

- 1) The petition for rehearing en banc is denied.
- 2) The mandate of the court will issue on September 9, 2020.

FOR THE COURT

August 3, 2020  
Date

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