

NOTE: This order is nonprecedential.

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

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**AMGEN INC., AMGEN MANUFACTURING,  
LIMITED,**  
*Plaintiffs-Appellants*

v.

**SANDOZ INC., SANDOZ INTERNATIONAL GMBH,  
SANDOZ GMBH,**  
*Defendants-Appellees*

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2018-1551

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Appeal from the United States District Court for the  
Northern District of California in No. 3:14-cv-04741-RS,  
Judge Richard Seeborg.

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**AMGEN INC., AMGEN MANUFACTURING,  
LIMITED,**  
*Plaintiffs-Appellants*

v.

**SANDOZ INC., SANDOZ INTERNATIONAL GMBH,  
SANDOZ GMBH, LEK PHARMACEUTICALS, D.D.,**  
*Defendants-Appellees*

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2018-1552

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Appeal from the United States District Court for the Northern District of California in No. 3:16-cv-02581-RS, Judge Richard Seeborg.

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**ON PETITION FOR PANEL REHEARING**

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Before LOURIE, O'MALLEY, and REYNA, *Circuit Judges*.

PER CURIAM.

**O R D E R**

Appellants filed a petition for panel rehearing on June 7, 2019. A response to the petition was invited by the panel and filed by the Appellees on July 29, 2019.

Upon consideration thereof,

IT IS ORDERED THAT:

- 1) The petition for panel rehearing is GRANTED to the extent that the following portion of the opinion at page 11, lines 20–21, is removed:

applies only in exceptional cases and

- 2) The petition for panel rehearing is otherwise DENIED.

FOR THE COURT

September 3, 2019  
Date

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