NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

23ANDME, INC., Plaintiff-Appellant

v.

ANCESTRY.COM DNA, LLC, ANCESTRY.COM OPERATIONS INC., ANCESTRY.COM LLC,

Defendants-Appellees

2019-1222

Appeal from the United States District Court for the Northern District of California in No. 3:18-cv-02791-EMC, Judge Edward M. Chen.

ON PETITION FOR REHEARING EN BANC

Before Prost, *Chief Judge*, Newman, Lourie, Dyk, Moore, O'Malley, Reyna, Wallach, Taranto, Chen, Hughes, and Stoll, *Circuit Judges*.

PER CURIAM.

ORDER

Appellant 23andMe, Inc. filed a petition for rehearing en banc. A response to the petition was invited by the court 23ANDME, INC. v. ANCESTRY.COM DNA, LLC

and filed by Appellees Ancestry.com DNA, LLC, Ancestry.com LLC and Ancestry.com Operations Inc. The petition was first referred as a petition for rehearing 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:

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The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on January 16, 2020.

FOR THE COURT

January 9, 2020 Date /s/ Peter R. Marksteiner Peter R. Marksteiner Clerk of Court