

NOTE: This order is nonprecedential.

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

ORACLE AMERICA, INC.,
Plaintiff-Appellant

v.

GOOGLE LLC,
Defendant-Cross-Appellant

2017-1118, 2017-1202

Appeals from the United States District Court for the Northern District of California in No. 3:10-cv-03561-WHA, Judge William H. Alsup.

ON PETITION FOR REHEARING EN BANC

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

PER CURIAM.

O R D E R

Cross-Appellant Google LLC filed a petition for rehearing en banc. A response to the petition was invited by the court and filed by appellant Oracle America, 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:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on September 4, 2018.

FOR THE COURT

August 28, 2018
Date

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

* Circuit Judge Plager participated only in the decision on the petition for panel rehearing.