

NOTE: This order is nonprecedential.

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

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**STEPHEN THALER,**  
*Plaintiff-Appellant*

**v.**

**KATHERINE K. VIDAL, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE, UNITED  
STATES PATENT AND TRADEMARK OFFICE,**  
*Defendants-Appellees*

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2021-2347

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Appeal from the United States District Court for the  
Eastern District of Virginia in No. 1:20-cv-00903-LMB-  
TCB, Judge Leonie M. Brinkema.

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**ON PETITION FOR PANEL REHEARING AND  
REHEARING EN BANC**

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Before MOORE, *Chief Judge*, NEWMAN, LOURIE, DYK,  
PROST, REYNA, TARANTO, CHEN, HUGHES, STOLL,  
CUNNINGHAM, and STARK, *Circuit Judges*.

PER CURIAM.

**O R D E R**

Stephen Thaler filed a combined petition for panel rehearing and rehearing en banc. The petition was referred 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 October 27, 2022.

FOR THE COURT

October 20, 2022  
Date

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