

NOTE: This order is nonprecedential.

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

VIRNETX INC.,
Appellant

v.

KATHERINE K. VIDAL, Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office,
Intervenor

2017-2593

Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in No. IPR2016-00693.

VIRNETX INC.,
Appellant

v.

CISCO SYSTEMS, INC.,
Appellee

KATHERINE K. VIDAL, Under Secretary of Commerce for Intellectual Property and Director of the

United States Patent and Trademark Office,
Intervenor

2019-1671

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 95/001,679.

VIRNETX INC.,
Appellant

v.

APPLE INC.,
Appellee

**KATHERINE K. VIDAL, Under Secretary of Com-
merce for Intellectual Property and Director of the
United States Patent and Trademark Office,**
Intervenor

2022-1523

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 95/001,682.

ON MOTION

Before REYNA, *Circuit Judge*.

ORDER

VIRNETX INC. v. VIDAL

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VirnetX Inc. moves to hold these calendar-ready appeals in abeyance pending (1) the disposition of any petition for rehearing in *VirnetX Inc. v. Mangrove Partners Master Fund, Ltd.*, Appeal Nos. 2020-2271, 2020-2272; and (2) the Supreme Court's disposition of the petition for a writ of certiorari in *Arthrex, Inc. v. Smith & Nephew, Inc.*, No. 22-639, stating that the Director of the United States Patent and Trademark Office takes no position on the motions. Cisco Systems, Inc. and Apple Inc. oppose.

Upon consideration thereof,

IT IS ORDERED THAT:

The motions are denied.

FOR THE COURT

June 1, 2023
Date

/s/ Jarrett B. Perlow
Jarrett B. Perlow
Acting Clerk of Court