

NOTE: This order is nonprecedential.

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

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**DAIICHI SANKYO, INC., ASTRAZENECA  
PHARMACEUTICALS LP,**  
*Plaintiffs-Appellants*

v.

**UNITED STATES PATENT AND TRADEMARK  
OFFICE, KATHERINE K. VIDAL, in her official  
capacity as the Under Secretary of Commerce  
for Intellectual Property and Director of the  
United States Patent and Trademark Office,**  
*Defendants-Appellees*

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2023-2390

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Appeal from the United States District Court for the  
Eastern District of Virginia in No. 1:21-cv-00899-LMB-  
JFA, Judge Leonie M. Brinkema.

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**O R D E R**

The parties having so agreed, it is ordered that:

(1) The proceeding is **DISMISSED** under Fed. R. App.  
P. 42 (b).

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DAIICHI SANKYO, INC. v. PTO

(2) Each side shall bear their own costs.

FOR THE COURT

March 4, 2024

Date



Jarrett B. Perlow  
Clerk of Court

**ISSUED AS A MANDATE:** March 4, 2024