

Exhibit B

NOTE: This order is nonprecedential.

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

**TRUSTEES OF THE UNIVERSITY OF
PENNSYLVANIA,**
Appellant

v.

ELI LILLY AND COMPANY,
Appellee

2017-2397

Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in No. IPR2016-00458.

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

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

PER CURIAM.

O R D E R

Appellant Trustees of the University of Pennsylvania filed a combined petition for panel rehearing and rehearing en banc. A response to the petition was invited by the court and filed by Appellee Eli Lilly and Company. 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 on December 19, 2018.

FOR THE COURT

December 12, 2018
Date

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

* Circuit Judge O'Malley did not participate