

NOTE: This order is nonprecedential.

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

MERIAL LIMITED AND MERIAL SAS,
Plaintiffs-Appellees,

v.

VELCERA, INC. AND FIDOPHARM, INC.,
Defendants-Appellants.

2012-1505

Appeal from the United States District Court for the Middle District of Georgia in case no. 12-CV-0075, Judge Clay D. Land.

ON MOTION

Before PROST, MAYER and REYNA, *Circuit Judges.*

PROST, *Circuit Judge.*

ORDER

Velcera, Inc. and FidoPharm, Inc. (“Velcera”) move for “summary reversal of preliminary injunction; alternatively to stay preliminary injunction or expedite appeal.” Merial Limited and Merial SAS (“Merial”) oppose. Velcera replies.

Without prejudicing the ultimate disposition of this case by a merits panel, we conclude that Velcera has not satisfied its burden to justify summary reversal or a stay pending appeal.

Furthermore, while Velcera could significantly speed up the appeal by filing its own briefs early, Velcera has not shown a need to expedite either Merial's briefing schedule or scheduling of oral arguments in this case. No extensions of time should be anticipated by either side, however. The case will be placed on the next available oral argument calendar after the briefing is completed, which is the usual course, and thus, no motion is necessary to obtain that relief.

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

AUG 10 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: George C. Lombardi, Esq.
Gregory A. Castanias, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

AUG 10 2012

JAN HORBALY
CLERK