

NOTE: This order is nonprecedential.

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

In Re DEXCOM, INC.,
Appellant

2024-1506, 2024-1507

Appeals from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in Nos. IPR2022-
00913 and IPR2022-00914.

ABBOTT DIABETES CARE, INC.,
Appellant

v.

DEXCOM, INC.,
Appellee

2024-1449, 2024-1450

Appeals from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in Nos. IPR2022-
00913 and IPR2022-00914.

ON MOTION

O R D E R

Upon consideration of the parties' joint stipulation to dismiss Appeal Nos. 2024-1449 and 2024-1450, and Abbott Diabetes Care, Inc.'s motion to withdraw as appellee in Appeal Nos. 2024-1506 and 2024-1507,

IT IS ORDERED THAT:

(1) Appeal Nos. 2024-1449 and 2024-1450 are deconsolidated from Appeal Nos. 2024-1506 and 2024-1507. The motion to withdraw is granted. The revised official and short captions are reflected in this order.

(2) Appeal Nos. 2024-1449 and 2024-1450 are dismissed. Each party shall bear its own costs.

(3) The briefing schedule is stayed for Appeal Nos. 2024-1506 and 2024-1507.

(4) Within 30 days from the date of entry of this order, the United States Patent and Trademark Office (PTO) is directed to inform this court whether it intends to intervene in either of the remaining appeals and, if so, whether it intends to file its own response brief or to rely on the brief previously filed by Abbott Diabetes Care, Inc.

(5) If the PTO elects to participate as intervenor in either of the remaining appeals, its docketing statement in the respective appeal is due within 14 days of the date of filing of its notice of intervention and, if applicable, its brief is due within 40 days of the date of filing of its notice.

IN RE DEXCOM, INC.

3

(6) If the PTO elects not to participate in the appeals, the reply brief will be due no later than 21 days after the filing of PTO's notice of non-intervention or February 18, 2025, whichever date is later.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

January 27, 2025
Date

ISSUED AS A MANDATE (as to Appeal Nos. 2024-1449 and 2024-1450 only): January 27, 2025

cc: United States Patent and Trademark Office